

369. By Mr. KISSEL: Petition of Otto Huber Brewery, of Brooklyn, N. Y., urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

370. By Mr. MEAD: Petition of the Hamburg (N. Y.) Women's Club, urging the passage of the Rogers-Capper bill; to the Committee on Immigration and Naturalization.

371. Also, petition of the South Dakota Press Association, opposed to the repeal of the postal zone rate law; to the Committee on Post Offices and Post Roads.

372. By Mr. YOUNG: Telegram in the nature of a petition of the Northwestern Division of the North Dakota Educational Association, at a meeting held at Minot, N. Dak., praying for the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

373. Also, resolutions of Garrison Lodge No. 90, Ancient Free and Accepted Masons, of Garrison, and of Mott Lodge No. 96, Ancient Free and Accepted Masons, of Mott, both in the State of North Dakota, favoring the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

374. Also, petition of Hope Lodge No. 29, Ancient Free and Accepted Masons, of Oakes, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

375. By Mr. DALLINGER: Resolution of Foreign Policy Association of Massachusetts calls upon Congress to adopt limit on size of United States Army, etc.; to the Committee on Appropriations.

376. By Mr. SINCLAIR: Petition of Dunseith Lodge No. 99, Ancient Free and Accepted Masons, of Dunseith, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

377. By Mr. TAGUE: Resolutions adopted by Foreign Policy Association of Massachusetts; to the Committee on Foreign Affairs.

378. By the SPEAKER: Petition of the Foreign Policy Association of Massachusetts, urging Congress to reduce the Army to 150,000 men, etc.; to the Committee on Military Affairs.

379. By Mr. YATES: Petition of Scatterday (Inc.), of Pontiac, and Murphysboro Bottling Co., of Murphysboro, both in the State of Illinois, protesting against the 10 per cent tax on bottled soft drinks; to the Committee on Ways and Means.

380. Also, petition of H. R. Bron and M. J. Kennedy, both of Chicago, Ill., protesting against the 5 per cent excise tax on musical instruments; to the Committee on Ways and Means.

381. By Mr. DYER: Petition of Griesedieck Bros. Brewery Co., requesting a repeal of the internal-revenue tax now levied on cereal beverage manufacturers of the country; to the Committee on Ways and Means.

382. By Mr. NEWTON of Missouri: Petition of 70 citizens of St. Louis, Mo., urging the passage of the bill introduced by Mr. MacGREGOR providing for \$5 tax on every imported canary bird; to the Committee on Ways and Means.

383. By Mr. PAIGE: Papers in support of House bill 5399, granting an increase of pension to William O. Taylor; to the Committee on Invalid Pensions.

384. By Mr. MacGREGOR: Petition of citizens of Buffalo, N. Y., urging the passage of the Hill bill to amend the Volstead Act; to the Committee on the Judiciary.

385. By Mr. STEPHENS: Petitions of Cereal Beverage Association of Cincinnati, Ohio, Covington and Newport, Ky.; the Hudepohl Brewing Co.; and the Jung Brewing Co.; to the Committee on Ways and Means.

## SENATE.

FRIDAY, April 29, 1921.

(Legislative day of Thursday, April 28, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhues, its enrolling clerk, announced that the House had passed a bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, in which it requested the concurrence of the Senate.

### CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	France	McCumber	Shields
Borah	Gerry	McKellar	Shortridge
Broussard	Glass	McKinley	Simmons
Bursum	Hale	McNary	Smoot
Calder	Harrell	Myers	Spencer
Cameron	Harris	Nelson	Stanfield
Capper	Harrison	New	Stanley
Caraway	Heflin	Nicholson	Sterling
Colt	Hitchcock	Norbeck	Sutherland
Culberson	Jones, N. Mex.	Norris	Townsend
Cummins	Jones, Wash.	Oddie	Trammell
Curtis	Kellogg	Overman	Underwood
Dial	Kendrick	Phipps	Wadsworth
Dillingham	Kenyon	Poindexter	Walsh, Mass.
Edge	Keyes	Pomerene	Warren
Elkins	King	Ransdell	Watson, Ga.
Ernst	Ladd	Reed	Willis
Fernald	Lodge	Robinson	
Fletcher	McCormick	Sheppard	

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. There is a quorum present.

### PETITIONS AND MEMORIALS.

Mr. PHIPPS presented a concurrent resolution of the Legislature of Colorado, which was referred to the Committee on Commerce, as follows:

STATE OF COLORADO,  
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,

State of Colorado, ss:

### Certificate.

I, Carl S. Milliken, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of senate concurrent resolution No. 7, which was filed in this office on the 24th day of March, A. D. 1921, at 3.35 o'clock p. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 24th day of March, A. D. 1921.

[SEAL.]

CARL S. MILLIKEN,

Secretary of State.

By CHAS. M. ARMSTRONG,

Deputy.

### Senate concurrent resolution 7.

### GREAT LAKES-ST. LAWRENCE TIDEWATER ASSOCIATION.

Whereas it is proposed to make such improvements in the St. Lawrence as to make the Great Lakes accessible to ocean-going commerce; and as this improvement will, in effect, bring the State of Colorado hundreds of miles nearer the world's markets; and

As there are within the State great resources that lie wholly undeveloped while the production of all things is diminished or retarded by distance from markets; and

Because our producers and the consuming public have alike suffered enormous losses in the last year by transportation shortage and failure; and

Because by reason of these conditions and the transportation situation constitutes an emergent need; and

As a number of States have joined in the Great Lakes-St. Lawrence Tidewater Association, having as its object the early undertaking and completion of this improvement:

Resolved, That the State of Colorado is properly associated in the above-named organization with its neighboring commonwealths in pressing to advance this undertaking, and that the action of the governor in so declaring is hereby approved and confirmed, and the participation of this State by the governor and those who represent him in the council of these States is approved.

Resolved, That the representatives of this State in the Congress of the United States be requested to facilitate and expedite in every possible way the prosecution of this undertaking for the economic freedom of a landlocked continent.

EARL COOLEY,

President of the Senate.

ROY A. DAVIS,

Speaker of the House of Representatives.

Approved March 24, 1921, 2 p. m.

OLIVER H. SHOUP,

Governor of the State of Colorado.

Filed in the office of the secretary of state of the State of Colorado on the 24th day of March, A. D. 1921, at 3.35 o'clock p. m.

CARL S. MILLIKEN,

Secretary of State.

By CHAS. M. ARMSTRONG,

Deputy.

ALEXANDER FEES,

Filing Clerk.

Mr. CAPPER presented telegrams in the nature of petitions of the American Association for Recognition of the Irish Republic, of Ogdenburg, and sundry citizens of Riley County; Commodore Barry Council, Knights of Columbus (1,000 members, representing 2,500 people), of Pittsburg; and Robert Emmett Council, American Association for Recognition of the Irish Republic, of Pittsburg, all in the State of Kansas, praying that the republic of Ireland be recognized by this Government, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of the Women's University Club, of Grand Rapids, Mich., praying for the enactment of legislation for the protection of maternity and infancy, and also to create a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Midland, Mich., praying for the enactment of the so-called Nolan Patent Office bill, which was referred to the Committee on Patents.

He also presented resolutions of the Chamber of Commerce of Flint; the Board of Commerce of Bay City; the Chamber of Commerce of Adrian; the Rotary Club of Marquette; and Grand Rapids Lion Club, of Grand Rapids, all in the State of Michigan, praying for the enactment of legislation providing relief for ex-service men, which were referred to the Committee on Finance.

Mr. WILLIS presented a resolution adopted by the council of the city of Cleveland, Ohio, favoring such legislation as will permit competing telephone companies doing either a city, intrastate, or interstate telephone business to unify the service rendered by such companies either by purchase and sale of the property of one company by the other or by a consolidation or merger of said companies when the same is authorized by the laws of the State in which such properties are situated, which was referred to the Committee on Interstate Commerce.

Mr. FLETCHER presented a resolution of the Kiwanis Club, of Jacksonville, Fla., favoring the enactment of legislation providing adequate relief for ex-service men, which was referred to the Committee on Finance.

He also presented a telegram in the nature of a memorial signed by Manuel Gonzalez, secretary of the Joint Advisory Board, of Tampa, Fla., in the name of 15,000 tobacco workers, remonstrating against the enactment of House bill 6, increasing the duty on wrapper tobacco, etc., which was referred to the Committee on Finance.

He also presented a petition of the Florida Tobacco Commission Co., of Quincy, Fla., praying that an appropriation of \$25,000 be made for the investigation of plant diseases, especially a new and peculiar disease that has appeared in the tobacco-seed beds in that district similar to the Australian blue mold, which was referred to the Committee on Agriculture and Forestry.

#### FREIGHT CHARGES ON FLORIDA CITRUS FRUIT.

Mr. FLETCHER presented a communication from Chase & Co., of Jacksonville, Fla., in relation to increase in freight charges paid railroads during the past four seasons on Florida citrus fruit, based on the haul from Orlando, Fla., to New York City, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

JACKSONVILLE, FLA., April 21, 1921.

HON. D. U. FLETCHER,

United States Senate, Washington, D. C.

DEAR SENATOR: You will be interested in the attached statement showing increase in freight charges paid railroads during the past four seasons on Florida citrus fruit, based on the haul from Orlando, Fla., to New York City.

While all of the fruit does not go to New York City, we believe that the average freight charge from all of the citrus-producing points in Florida to all of the markets in the country will average approximately the New York freight rate, and the statement will serve to illustrate the point we wish to make, which is that the transportation companies operating out of Florida are now collecting from the Florida growers on the present crop and at the present rate 304 per cent more freight charges than was paid during the season 1917-18. Other products from Florida have increased proportionately, and also the charges, so that you can realize what an enormous amount of money is paid out to the transportation companies on Florida perishable products alone.

If you would look into the traffic now moving you would find that the railroads serving Florida and California are in more prosperous condition and have fewer idle cars than roads operating in any other territory.

There is one thing sure: We must have lower freight rates on Florida grapefruit into the Pacific coast markets. The present rate is so high that it has practically excluded Florida grapefruit from many of the markets where we placed a great many cars under the prewar rate. California citrus fruit moves to the Atlantic coast markets at a rate of approximately \$1.50 per box. If this is a satisfactory rate to the railroads, why is it that the charge on a box of Florida citrus fruit is almost double from a Florida producing point to a Pacific coast market? A person can travel east and west at the same rate per mile, and we believe that similar products should not be discriminated against.

Yours, very truly,

CHASE & CO.,  
J. C. CHASE, President.

Statement showing increase in freight charges paid railroads during past four seasons on citrus fruit, based on haul from Orlando, Fla., to New York, N. Y.

Season.	Number boxes shipped.	Freight rate charged.	Increase in rate.	Freight charges paid railroads.	Increase in freight charges paid over season 1917-18.	Increase in freight charges over season 1917-18.
			Per cent.			Percent.
1917-18.....	5,581,309	\$0.61	.....	\$3,404,598.49	.....	.....
1918-19.....	8,946,204	.76	25	6,843,846.06	\$3,439,247.57	101
1919-20.....	12,495,925	.76	25	9,559,382.63	6,154,784.14	181
1920-21.....	13,500,000	1.02	67	13,770,000.00	10,365,401.51	304

#### REPORTS OF COMMITTEE ON THE JUDICIARY.

Mr. ERNST, from the Committee on the Judiciary, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 78) authorizing the appointment of an additional judge for the district of North Dakota (Rept. No. 7); and

A bill (S. 694) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia (Rept. No. 8).

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 1344) for the relief of John Cestnik, jr.; to the Committee on Public Lands and Surveys.

By Mr. SMOOT (for Mr. CUMMINS):

A bill (S. 1345) to amend an act entitled "Interstate commerce act," approved February 28, 1920; and

A bill (S. 1346) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, including the safety-appliance acts and the act providing for the valuation of the several classes of property of carriers subject to the Interstate Commerce Commission, approved March 1, 1913; to the Committee on Interstate Commerce.

By Mr. FERNALD:

A bill (S. 1347) granting a pension to Perlle A. Haskell (with accompanying papers); to the Committee on Pensions.

By Mr. EDGE:

A bill (S. 1348) to save daylight in the first zone so as to encourage the establishment of home gardening, and for other purposes; to the Committee on Interstate Commerce.

By Mr. PHIPPS:

A bill (S. 1349) providing for the resurvey of certain townships in the State of Colorado; and

A bill (S. 1350) making an appropriation for the investigation of underground currents, particularly shallow underground waters, and artesian wells in eastern Colorado; to the Committee on Public Lands and Surveys.

By Mr. ODDIE:

A bill (S. 1351) for the relief of Thurman A. Poe;

A bill (S. 1352) for the relief of Benjamin F. Spates; and

A bill (S. 1353) to pay the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the Civil War; to the Committee on Claims.

A bill (S. 1354) granting a pension to Ensign O. Lane; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 1355) to provide for the establishment, construction, and maintenance of a post road and interstate highway system, to create a Federal highway commission, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. FLETCHER:

A bill (S. 1356) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States; to the Committee on Irrigation and Reclamation.

By Mr. CURTIS:

A bill (S. 1357) to provide allowances for mothers with children under 16 years of age dependent upon them for support in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WADSWORTH:

A bill (S. 1358) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 1359) granting a pension to Amos E. Miller; to the Committee on Pensions.

A bill (S. 1360) authorizing the award of the distinguished service cross or distinguished service medal provided for in the act of July 9, 1918, to Army officers brevetted for gallantry during the War with Spain, Philippine insurrection, or China relief expedition (with accompanying papers); to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 1361) granting an increase of pension to Allen T. Landress; to the Committee on Pensions.

By Mr. HARRIS:

A joint resolution (S. J. Res. 42) authorizing the Secretary of War to loan to the city of Albany, Ga., tents and cots for use



of Confederate veterans in their State convention, May 11 and 12, 1921; to the Committee on Military Affairs.

#### PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

The PRESIDENT pro tempore. The pending question is on the amendment in the nature of a substitute reported by the Committee on Foreign Relations.

Mr. HITCHCOCK. Mr. President, in opposing the pending joint resolution offered by the Senator from Pennsylvania [Mr. KNOX] and reported from the Committee on Foreign Relations I shall present views differing somewhat from some that have been uttered by colleagues of mine. In my opinion the resolution if adopted will have little if any effect in the United States and none at all abroad.

The first paragraph of the resolution purports to repeal the declaration which we adopted in April, 1917, declaring the existence of a state of war with Germany. In my opinion such a repeal is impossible. This Congress can no more repeal that resolution than it can repeal the act by which Congress directed the President of the United States to build the Panama Canal. When the President of the United States had built the Panama Canal that legislation was exhausted, and when under the resolution declaring war existing between the United States and Germany the President had under its instructions used the naval and military forces of the United States to fight the war to a successful conclusion, that resolution had served its purpose and was no longer subject to repeal.

That resolution declared that a state of war existed between the United States and Germany. That was a fact, and Congress has no power to expunge that declaration or repeal it. That resolution instructed the President of the United States to do a certain thing, and he did it; he did it to a finish; he concluded it. The resolution served its purpose and is executed; it is no longer subject to repeal by the Congress of the United States.

Then the pending resolution proceeds to declare that the Government of the United States shall retain German property within our control until Germany enters into a treaty with us giving us all the rights, privileges, powers, indemnities, reparations, and benefits of the Versailles treaty. We do not need a resolution of that sort to continue to hold the German property. Such a resolution binds no one. We are already holding the German property under an act of Congress, and as far as we are concerned we shall continue to hold it. The resolution does not bind Germany. In its second provision it is just as ineffective as in its first provision. It declares that we will do a thing that we have already by act of Congress done and which we are continuing to do. Of what use is it for us to say to Germany, "We will hold this property until you enter into a treaty giving us the benefit of a treaty that we rejected"? It has no benefit and no force until Germany accepts it.

Germany is not bound by our declaration, and that is not the purpose of the declaration. The purpose of the declaration in the resolution of what the terms of a separate treaty of peace with Germany shall be is to bind the President of the United States. It can not bind Germany, but it may embarrass the President. It is an attempt to interfere with the constitutional powers of the President of the United States to negotiate a treaty of peace with Germany. He is confronted by two alternatives, and nobody yet knows whether he has decided which of those alternatives to take. Either he must devise some plan under which the United States, with amendments or reservations, shall become a party to the treaty of Versailles or he must enter into negotiations for a new and a separate treaty with Germany.

Mr. President, it is his right and his privilege, given to him exclusively by the Constitution of the United States, to decide that question. If he decides that it will be for the best to enter into a new and a separate treaty with Germany, the Constitution gives him the exclusive right, either in person or by his own representative, to negotiate such a treaty; and yet this resolution, by a Congress without jurisdiction, proposes to dictate to the President of the United States what terms shall be incorporated in a possible separate treaty of peace with Germany.

Mr. President, strangely enough, this attempt is made to dictate to and to control the President of the United States and to interfere with his constitutional prerogatives, in the very face of his request to the Congress of the United States not to do that thing. It is only a short time since President Harding appeared before the Congress, in a joint session of the two Houses, on April 12 of the present year, and toward the con-

clusion of the address which he delivered at that time he referred directly and specifically to the question of foreign affairs and to the foreign policy yet to be adopted. Let me quote one paragraph of the language used by the President of the United States. He said:

It would be unwise to undertake to make a statement of future policy with respect to European affairs in such a declaration of a state of peace. In correcting the failure of the Executive, in negotiating the most important treaty in the history of the Nation, to recognize the constitutional powers of the Senate we would go to the other extreme, equally objectionable, if Congress or the Senate should assume the function of the Executive. Our highest duty is the preservation of the constituted powers of each and the promotion of the spirit of cooperation so essential to our common welfare.

Evidently President Harding sought to impress upon the Congress at that time that he wished to be free to use his constitutional powers, either in the negotiation of a separate treaty or, possibly, in the entrance into some form of amended treaty, such as was adopted at Versailles. President Harding did not stop with that language, but he went further. He said:

It would be idle to declare for separate treaties of peace with the Central Powers on the assumption that these alone would be adequate, because the situation is so involved that our peace engagements can not ignore the Old World relationship and the settlements already effected, nor is it desirable to do so in preserving our own rights and contracting our future relationships.

This resolution does ignore the settlements already made. As the Senator from Minnesota [Mr. NELSON] stated on yesterday here, there is nothing in the resolution which is any recognition of settlements already made, except the declaration that the United States shall get from Germany the uttermost "pound of flesh" provided, in the shape of benefits, reparations, and indemnities in the treaty which we have rejected.

Then President Harding continues:

The wiser course would seem to be the acceptance of the confirmation of our rights and interests as already provided and to engage under the existing treaty—

"To engage under the existing treaty"—

assuming, of course, that this can be satisfactorily accomplished by such explicit reservations and modifications as will secure our absolute freedom from inadvisable commitments and safeguard all our essential interests.

The President there directly refers to the possibility of some arrangement under the existing treaty, with necessary modifications and reservations. Yet the Congress proposes by this resolution to commit the country and to commit the President in his foreign policy to a separate and independent treaty without regard to the existing treaty.

Mr. President, I do not know whether there is a deliberate purpose on the part of the responsible leaders of the majority in the Senate of the United States to flout the very first recommendation made by the President of the United States; I do not know that it is the intention of the responsible leaders on the Republican side of the Senate to dictate to him what his foreign policy shall be, when he has specifically requested that he be left alone to exercise his constitutional power; but there is not another thing in the resolution that is effective except the inevitable embarrassment that it is going to bring to the President of the United States in deciding what foreign policy he shall adopt.

We know how anxious he is to maintain his relationship with the dominant leaders on the dominant side of the Senate, and he may yield; but here in this address he has protested against any attempt to interfere with the formation of his policy. He is in a position better than any other authority to outline the policies of the United States. He is at the present time in diplomatic touch with all the nations of the world, even our former enemies in the late war. He is the man who ought to decide what shall be the future policy of the United States in foreign affairs, and not the Senate of the United States or the Congress of the United States.

But, Mr. President, it is argued here that this resolution is necessary in order to end the technical state of war, as it is called. Not a speech has been made, however, and not a speech can be made to justify that assertion. In the first place, as we all know, wars are not always ended by official declarations. They come to an end by lapse of time and lack of action. We have now, as a matter of fact, been at peace with Germany for nearly three years. We have called home our soldiers; we have reduced our Army to a peace basis; we have resumed, almost without exception, peace-time legislation, making only a few temporary exceptions for the present. And that is not all, for when the President of the United States in November, 1918, called the House and Senate into joint session and read to us the terms of the armistice that had been agreed to between Germany and the allied and associated powers he made the official declaration:

Thus the war comes to an end.

But that is not all, for, as if to make assurance double sure, the Congress of the United States has declared the war at an end, and even fixed the date of its termination. Have we forgotten it? Have we forgotten that on the 3d of March of the present year the President of the United States signed an act of Congress which declared the war to have ended upon the enactment of that measure? House joint resolution 382, signed by the President of the United States on the 3d of March, contained this language:

The date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of such termination.

Mr. KELLOGG. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KELLOGG. That was for the purpose of determining when certain powers conferred in certain statutes ceased, was it not?

Mr. HITCHCOCK. It was.

Mr. KELLOGG. And that is all?

Mr. HITCHCOCK. It was for that purpose; but there the language fixes the termination of the war. I am going on the theory that even that was not necessary, but that whatever Congress could do to fix the termination of the war was done in that joint resolution, No. 382. Senators may not have known what they voted for, but they voted for a distinct declaration by the Congress of the United States that the war ended when the President signed that joint resolution.

Mr. KELLOGG. The Senator from Nebraska has not answered the question. Did not the joint resolution that contained that language name the particular statutes the powers of which were to cease?

Mr. HITCHCOCK. That is correct.

Mr. KELLOGG. And no other statutes were provided for in that joint resolution.

Mr. HITCHCOCK. That is correct; but that does not alter the fact that if a technical state of war existed still, after nearly three years of peace—and it was only technical—it was ended by that declaration, regardless of what the purpose was when Congress made it. I go to the extent of saying that it was not necessary.

But Senators may argue that we need some resolution declaring the state of war at an end in order that business may be resumed. The answer to that is found in the official statistics of trade with Germany. At the present time our exports to Germany amount to something over a million dollars a day. No nation of Europe, with the exception of Great Britain and the possible exception of France, is doing as much business with the United States as Germany is doing to-day; and there is no restriction on our trade with Germany at the present time except what is provided by her inability to pay, by our tariffs, and by the remnant of the War Trade Board which prohibits the trade in dyes. Germany to-day is our great customer for cotton, next to Great Britain; our great customer for wheat; our great customer for copper; and she would be to a much greater extent if she had the ability to pay.

This consideration wipes out utterly the suggestion that there is any business reason for the passage of this joint resolution, and it brings us back to the proposition that the only reason for passing this joint resolution is an attempt to arrogate to a few Senate leaders the power which the Constitution vests in the President of the United States to outline our foreign policies and negotiate our treaties. I see the Senator from Idaho [Mr. BORAH], the great guardian of the Constitution of the United States, who stood here by the hour objecting to the treaty of Versailles on constitutional grounds; yet we heard him declare here yesterday that he believed that the precedent should be set and that the Congress should take into its hands the power which the Constitution vests in the President of the United States. It seems to make a great deal of difference what issue is pending at the time as to whether our constitutional champions are willing to stand by the Constitution.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I do.

Mr. BORAH. In what respect is the position which the Senator from Idaho may have taken with reference to the now deceased league in conflict with this position?

Mr. HITCHCOCK. Possibly the Senator was not here during the early course of my remarks, where I sought to show that the sole purpose of this joint resolution is to take out of the hands of the President of the United States the decision whether

he will adopt one alternative or another in international affairs. Possibly the Senator was not here when I read from the speech of the President of the United States delivered to the Congress on the 12th of April, in which he urged Congress not to interfere with his executive prerogative to decide as between these treaties. Possibly the Senator was not here when I showed, or attempted to show, that this joint resolution is an attempt on the part of Congress to dictate to the President of the United States what the terms of the treaty of peace with Germany shall be.

Mr. BORAH. I do not so understand this joint resolution. There is a difference of opinion between the able Senator and myself as to what the joint resolution does. I may discuss it a little later, but I do not agree with the Senator as to the legal effect which he puts upon the joint resolution. That is the difference.

Mr. HITCHCOCK. The Senator possibly did not have the benefit of my argument or he might hold a different view.

Mr. BORAH. I shall avail myself of the opportunity of reading it. I am sorry I was not here, but I was detained on a committee.

Mr. HITCHCOCK. Mr. President, I have shown that this is an attempted usurpation on the part of the Congress of the exclusive power which the Constitution vests in the President of the United States to fix the foreign policies of the country. I have shown that it is in direct conflict with his address to Congress this month, in which he asks Congress not to interfere with the executive prerogative. I have shown that this is an attempt to force his hand, and may succeed.

Mr. REED. Mr. President—

Mr. HITCHCOCK. I have shown that there is no business reason why this joint resolution should pass. I have shown that it has absolutely no binding force whatever on Germany.

Mr. BORAH. Mr. President—

Mr. HITCHCOCK. I yield to the Senator from Missouri.

Mr. REED. The Senator from Idaho was in a colloquy with the Senator from Nebraska, and perhaps he wants to finish it.

Mr. BORAH. The Senator says he has shown these things. I have no doubt the Senator entertains that view, but I do not think he can show these things. It is not an infringement upon the President's prerogative at all. It is not an infringement upon any constitutional power which is given him by the Constitution of the United States; neither is it exercising any power which belongs to the President of the United States, and there is where the Senator and I differ.

Mr. HITCHCOCK. I understand the Senator's position. I now yield to the Senator from Missouri.

Mr. REED. Mr. President, the Senator has just said that this is an attempt to force the President's hand, and to take from the President some of his prerogatives, notwithstanding the protest made in his message against such action by the Senate. Does not the Senator overlook these words in the message of the President? I read from the bottom of page 16 of the printed address:

To establish the state of technical peace without further delay, I should approve a declaratory resolution by Congress to that effect, with the qualifications essential to protect all our rights. Such action would be the simplest keeping of faith with ourselves, and could in no sense be construed as a desertion of those with whom we shared our sacrifices in war, for these powers are already at peace.

With a direct invitation to us by the President, and an assurance in advance that he will approve such action by the Congress, and with the statement that such action would be the simplest keeping of faith with ourselves, how can the Senator say that we are robbing the President of his prerogatives, or going contrary to his suggestions?

Mr. BORAH. Mr. President, may I also suggest in that connection, so that the Senator may answer both propositions, that if I recall correctly the President said in his acceptance speech that a state of peace should be established with Germany just as soon as a declaratory resolution could be passed by Congress and he could sign it. That was early in the campaign.

Mr. HITCHCOCK. Mr. President, I am not raising any objection to such a declaration. I say it is idle. I say it is unnecessary. It is of no effect on business, because we have the trade with Germany. It is of no effect in any way. Congress has already, since the speech of President Harding in his campaign, declared the war at an end in the act of March 3 of this year, and named the date when it ended.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. HITCHCOCK. I do.

Mr. REED. If we have already ravished the President of his powers, how will he suffer if we do this thing which the



Senator now says is utterly ineffective because we have already done it?

Mr. HITCHCOCK. We have not done it. All we have done is to declare the war at an end, and there is no objection to that. I say it is ineffective, but there is no objection on that account. What I object to in this joint resolution, and what I suppose the President of the United States would object to if he were willing to enter into a conflict with the dominant element on the Republican side of this Chamber, are the terms of this joint resolution, which dictate what shall be put into the proposed treaty of peace with Germany. That is the issue. The issue is not on the declaration of the existence of peace. The issue is the dictating in this joint resolution of the items which shall be put into the treaty of peace with Germany.

Mr. REED. Mr. President, I do not want to interrupt the Senator if it will disturb the course of his remarks.

Mr. HITCHCOCK. I have about concluded. It will not disturb them.

Mr. REED. The Senator takes the position that we have already declared the war to be at an end. I do not agree to that proposition. We declared it was at an end for the purpose of construing certain statutes that had been theretofore passed. Those statutes contained a clause that they should terminate in their effect within a given time, or upon the happening of certain events after the termination of the war. We dragged along here for two years and three months under a technical state of war, as far as the paper condition existed, and in order to get rid of those statutes, and in order to fix a period when they would terminate, we adopted the language which declared that for the purposes of those acts the war should be deemed to have terminated. It was only the legal means of fixing a date with reference to termination.

Now the Senator says we have already declared the war at an end, and that the objection is that we are trying to force the President to put certain things into treaties, and that the wrongfulness of our act will consist in trying to tie the hands of the President with reference to future treaties. I assert that it is my humble judgment the language of this joint resolution does nothing of the kind. The language of the joint resolution does nothing but impound the German property until such time as a treaty shall have been negotiated, and that is what I call the Senator's attention to.

Mr. HITCHCOCK. Mr. President, the answer to that is that the German property is already impounded. It is impounded by the order of the Congress of the United States, and reiterating that order can give it no force. It is like passing the same bill twice. Nothing we can do will bind Germany.

Mr. REED. Mr. President, the Senator must concede that the moment peace is declared, then, ipso facto, that property is governed by the laws which exist between nations which are at peace and can no longer be held by the United States rightfully, unless we take the necessary action to hold it.

Mr. HITCHCOCK. Mr. President, I will ask the Senator not to interrupt at such great length. We have already taken that action. In the act of March 3 we took it. We declared that that act should still remain in effect, in order that we could still continue to hold the German property. As far as the United States is concerned, we have reached the definite conclusion to hold that property, and there is nothing to be gained by reiterating our determination to hold it. When it comes to making a treaty of peace with Germany there is nothing we can do here that will bind Germany. Any treaty of peace we make with Germany will have to be entered into with Germany's consent.

There is only one qualification to Germany's consent, and that is to be found in the treaty of Versailles. Germany is practically in the hands of a receivership at the present time. There are certain things Germany can not promise to do in a treaty. The treaty of Versailles limits the sovereign powers of Germany. The treaty of Versailles has placed in the keeping of the commission of reparations the economic resources of the great German Empire. That reparations commission controls those resources, and by rejecting the treaty of Versailles we lost our place and lost our voice and lost our influence upon that commission. We are an outsider, and if we go to Germany, as we probably shall, to secure a separate treaty, we have to go to Germany knowing that Germany's powers are limited and that there are certain things she can not promise to do for us. She may not be able to give us the benefits we will ask in such a treaty, because she will be restrained by the powerful hand of the Versailles treaty.

Mr. COLT. Mr. President, does the Senator believe that the Congress of the United States can limit in any way the treaty-

making power conferred upon the President under the Constitution of the United States?

Mr. HITCHCOCK. I do not.

Mr. COLT. Then the effect of this resolution is simply to repeal a statute passed by Congress declaring that we were in a state of war. The Congress has the power to repeal any statute, has it not?

Mr. HITCHCOCK. Mr. President, I presume the Senator was not in the Chamber when I made my statement. I said the declaration of war, like the act under which we instructed the President to build the Panama Canal, has passed beyond the jurisdiction of the Congress, because it is executed. It can not be repealed any more than we can repeal effectively the act by which we instructed the President to build the Panama Canal. So that so far as the repeal of that resolution is concerned, an attempt is made to do an idle thing.

Mr. COLT. My view is that Congress can in no way limit the treaty-making power, which is absolutely distinct from the legislative power.

Mr. HITCHCOCK. The Senator is entirely correct, of course.

Mr. COLT. Since this resolution can in no way limit the power of the President to negotiate a treaty, anything that might be recited therein can in no way impair the constitutional power of the President of the United States to make a treaty, by and with the consent of the Senate. It might be a declaration of policy on the part of the United States to put certain terms in this resolution; but, if Congress can limit the treaty-making power of the President, there is in effect no such power.

Mr. HITCHCOCK. The Senator is absolutely correct, of course, and as a judge he holds an opinion which is entitled to the highest respect. I believe he was not in the Chamber when I began my statement. My statement is that this is done for the purpose of forcing the President's hand. This resolution is to be sent to him, and he has either to sign this resolution or come into conflict with the dominant leaders on the Republican side of the Senate. It is an attempt by them to dictate to him a policy he ought to be left free to adopt for himself.

Mr. COLT. I understood the Senator to say, in his opening sentence, that the passage of this resolution would have no effect upon this country, and little or no effect abroad.

Mr. HITCHCOCK. None at all, outside of the 3-mile limit.

Mr. COLT. Therefore, if it is harmless, how can it do any harm to pass it?

Mr. HITCHCOCK. The Senator may look at it that way.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. As I understand the Senator's position, then, his interest in the discussion is not because of the possible effect of the resolution, but his interest in it, rather, arises out of the fact that he thinks it will embarrass the President?

Mr. HITCHCOCK. I am endeavoring to set forth what I believe to be true, that this resolution is being put through for the purpose of carrying out the threat, formally made, that the foreign affairs of the United States were to be in the hands of the dominant managers of the dominant party in the Senate, and I am endeavoring to show that you are flouting our President, refusing the request and defying the protest which he made only a few weeks ago, at the joint session of the House and the Senate, when he asked that he be not embarrassed by any preliminary action of the Congress of the United States, or of the Senate, in adopting such a foreign policy as the circumstances might point out to be wise. The Senator can put any construction on it he pleases. I have stood here at all times advocating the constitutional power of the President of the United States, whether Democrat or Republican, to negotiate treaties. I have maintained, and the Senator knows that it is correct, that the Constitution vests in the President the sole power to negotiate treaties. It gives to the Senate of the United States only the power to advise and consent to those treaties when negotiated.

Mr. BORAH. To all of which I agree.

Mr. HITCHCOCK. Yet the Senator here is advocating a resolution, I suppose, although he has not spoken for it yet, which purports to set forth what the President shall incorporate in the proposed treaty of peace with Germany when it is made.

Mr. BORAH. Mr. President, in that regard we hold entirely different views. The resolution does not purport to do anything of the kind, it seems to me, and later perhaps I shall undertake

to show why I think so. Of course, if the resolution undertook to restrain the President in his power to negotiate a treaty, in the first place, it would be perfectly futile; it would not amount to anything; it would not effect anything. But I do not think it undertakes to do that.

Mr. HITCHCOCK. Mr. President, let me interrupt the Senator there. When this joint resolution, adopted by the Republican Congress, as I suppose it will be adopted, is presented to the President of the United States he must decide then and there whether he will exercise his executive powers as the Constitution gives them to him, or whether he will permit the dominant Republican leaders in the Senate to dictate to him and outline to him what he shall do. He has to reach that decision then.

Mr. BORAH. Suppose it should transpire that he has already reached it, and that this resolution is the result of a consultation between the dominant leaders of the Republican majority and the President of the United States?

Mr. HITCHCOCK. That will be for time to develop.

Mr. BORAH. I am sure the Senator would feel relieved if he knew that the President had already passed upon that.

Mr. HITCHCOCK. Mr. President, the Senator from Nebraska is not worrying over this situation. I can look toward the situation, as far as I am individually concerned, and I feel that a majority on this side of the Chamber will look at the situation, with comparative equanimity. We have fought our fight and lost it; we know that. We stand here now waiting to see what you propose to do with the situation. You are confronted with a very grave situation, and you have brought it about; you are responsible for it. The evil times that have come upon Europe and come upon the United States are the result of your action. You threw the monkey wrench into the machinery. It was you who put a stop to the rehabilitation of the world and the organization of the world for peace. It was you who made it impossible for the world to resume the ways of peace, and it is you who have made confusion worse confounded in Europe, and the troubles from which the United States suffers to-day are not due to domestic causes; they are due to international causes, which you have provoked.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. I would be very glad if I were entitled to all the credit, as the Senator, by his pointing toward me, indicates; but the Senator will recall that when the hour came to finally reject the league and the treaty the Senator from Nebraska and I voted together.

Mr. HITCHCOCK. We did, but from entirely different motives. Such things sometimes happen.

Mr. President, I have said that the existing trouble is international and not domestic, and the cure international and not domestic. The South to-day is practically prostrate and almost in collapse, because her great crop of cotton remains unsold, eight or nine million bales of cotton not sold, because Europe, her great customer, can not buy it. The copper mines of the West are idle, because Europe can not buy our copper. Wheat has dropped to half—yea, a third—of its former value, and finds only a limited market, because Europe can not buy. So it is with corn, and so it is with a thousand million dollars' worth of manufactured goods, which Europe longs for, as she does for our raw materials.

Our railroads have grown into a condition almost of desperation, in spite of legislation by Congress. Do Senators think that they can sit here and legislate means by which we can swap jackknives with each other in this country and cure the evil when the evil is international? The evil we suffer from in the United States is because we can not sell our surplus products to the world, and we can not sell them to the world because the world is in confusion worse confounded, brought about very largely because we refused to cooperate in the rehabilitation of the world.

Mr. President, I have talked longer than I expected to.

Mr. KING. Mr. President, before the Senator concludes, I desire to ask him a question.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KING. I do not like to be in disagreement with my able friend, and I may not be, unless I have misinterpreted the position which he has assumed, and for that reason I challenge the Senator's attention to an observation he made a moment ago. As I understand the Senator's position it is this: That certain legislation which was recently passed, which declared that certain statutes passed during the war had ceased to function, had

come to an end, was equivalent to a declaration of peace, not only a declaration declaring peace de facto but a declaration declaring peace de jure. If the Senator takes that position I can not agree with him; I think he is entirely wrong; and I sincerely hope the Senator has not taken the position that the legislation which had the effect of repealing certain war legislation, in effect, declared a state of peace, not only de facto but de jure, so that we would not longer be technically at war with Germany.

Mr. HITCHCOCK. Mr. President, I feel that I have covered that. I do not believe that technicalities are the great factors we should consider in this case. As I look upon the situation, we have been at peace with Germany, as a matter of fact, for all practical purposes, for a year or two at least, and there is no practical reason why we need pass this resolution for the purpose of establishing that peace. We have it for all material or beneficial purposes already, and if we make a treaty with Germany we have to make such a treaty as Germany is willing to give.

Before I sit down I wish to recite briefly some of the genesis—

Mr. COLT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield further to the Senator from Rhode Island?

Mr. HITCHCOCK. I yield.

Mr. COLT. I am so much interested in the Senator's discussion with regard to the constitutional power of the President to make treaties and the power of the Congress that I wish to ask him a question, because he is so familiar with the subject.

The first paragraph of the resolution provides:

That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States of America, and making provisions to prosecute the same, be, and the same is hereby, repealed.

Has the Senator any doubt that the Congress has the power to repeal a statute which it passed declaring war? Would the Senator regard any such action by Congress as encroaching upon the treaty-making power of the President, if Congress saw fit in its discretion to repeal such statute?

Mr. HITCHCOCK. Not at all. The Senator has misconceived my argument if he draws such an inference from anything I have said.

Mr. COLT. Again, Congress in repealing the statute does not actually make peace, because actual peace must be brought about by the affirmative act of both the United States and Germany, but the act of repeal does put the United States itself, as one party to the war, in a state of peace. I was wondering if the Senator would not agree with that proposition.

Mr. McKELLAR. Mr. President, will the Senator from Nebraska yield to me to ask the Senator from Rhode Island a question?

Mr. HITCHCOCK. I yield to the Senator from Tennessee.

Mr. McKELLAR. I just wish to ask my distinguished friend from Rhode Island if the Constitution does not specifically give the Congress the right to declare war, but if it does not fail to give the Congress any power to conclude peace? Does it not also specifically give the President and two-thirds of the Senate the right to conclude peace, and, therefore, is not that proof of the power of Congress to declare peace?

Mr. COLT. The Senator is using the word "peace" in a general sense, when it may mean in a narrow sense one thing and in a broad sense another thing. In a broad sense, Congress can not make peace, but Congress can make peace so far as the United States is concerned by the repeal of that statute. It can declare that the United States is in a state of peace, but, of course, we can not make peace in a broad sense without we have the consent of the other side.

Mr. McKELLAR. There I agree with the Senator's argument.

Mr. COLT. Any statute which Congress has the power to pass Congress can repeal. Congress can, in violation of treaties, take the United States out of any treaty, provided the statute of repeal comes within the specific powers conferred upon Congress under the Constitution of the United States.

Mr. HITCHCOCK. Mr. President, this discussion is far afield and involves matters which I think are somewhat overestimated in their importance. Undoubtedly, as the Senator from Rhode Island states, Congress can go through the act of repealing that resolution just as Congress can to-day repeal some acts of Congress that were passed 100 years ago and that have been obsolete and dead for the last 75 years; but it is ineffective, it is an idle act. It is not worthy the dignity and the consideration of the Senate, and it has no effect at all.

I had intended to go through the genesis of the resolution for peace. I had intended to recite the terms of the first resolu-



tion which the Senator from Pennsylvania [Mr. Knox] presented in June, 1919; the second resolution which he presented in December, 1919; the concurrent resolution by the Senator from Massachusetts [Mr. Lodge] in November, 1919; the resolution again by the Senator from Pennsylvania in December, 1919; the resolution of May 17, 1920, which was passed by Congress and vetoed by the President of the United States, and so come down to the present resolution. All of them are efforts to do an unnatural thing and to do a thing not provided for in the Constitution. All of them would result, as this one will result, in further confusing a condition already seriously confounded. But I shall not go into that now.

I wish in concluding to direct to the attention of the Senate the remarkable fact that the pending resolution involves a great national policy of the United States, arrogating to the Congress powers which the Constitution has given to the President. A resolution pointing out the policy of the United States is brought into the Senate apparently in the midst of a conspiracy of silence among those who propose to vote for it. The Senator who introduced it makes no speech. The Senator who reported it has made no speech. No Senator advocating the resolution has made a speech. It is treated very much as we see treated in the city councils of municipalities, sometimes, a gas franchise or a great contract. When they have the votes to pass it, they pass it in silence because they have no excuse to give the public for it. That is why this great resolution is placed before this great deliberative body of the United States without a speech in advocacy of it.

I have made a rather hurried attempt to make some criticisms of the resolution. I trust some advocate of it will rise in his place and tell the Senate and the people of the United States why it is proposed. Is it for business? Is it to improve international conditions? Is it to dictate to the President of the United States? Is it to arrogate to the Congress the outlining of a treaty? What is the purpose of it? What is the excuse for it? Have we not our trade with Germany already to the extent that Germany is able to buy? What, then, is the reason for bringing this resolution in here to declare a state of peace which has existed for the last two or three years, and to outline what a special treaty of peace with Germany shall contain when that is the duty of the President to prescribe? I hope we shall hear some elaboration and some excuse which moves Senators to vote for this extraordinary resolution.

Mr. REED and Mr. JONES of New Mexico addressed the Chair.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. I understand the Senator from New Mexico wishes to ask the Senator from Nebraska a question?

Mr. JONES of New Mexico. If the Senator from Missouri will yield for that purpose.

Mr. REED. With pleasure.

Mr. JONES of New Mexico. I should like to ask the Senator from Nebraska his view in regard to a certain phase of the situation in the event the resolution shall be passed. I understand it to be the position of the Senator from Nebraska that if the resolution be passed, the provisions of the resolution which would seem to imply that this Government intended to avail itself of all the benefits of the Versailles treaty would be ineffective, that it would constitute only a declaration on the part of the United States, that it could not bind Germany, that it would not constitute any kind of an arrangement as between this country and Germany. With that part of the argument of the Senator from Nebraska I agree.

If that be true, then I should like to inquire under what title or by what right would the United States retain possession of the property of German citizens which it took during the war? By what authority could we retain possession of the goods or property which we took over from German citizens during the war, or by what right would we retain the cash into which that property has been converted?

Mr. HITCHCOCK. The answer to that question is obvious. There is nothing but the Army and the Navy of the United States which would enable us to hold the property of Germany and of Germans in the United States unless we entered the Versailles treaty or unless we make a new treaty with Germany providing to that effect.

Mr. JONES of New Mexico. In other words—

Mr. HITCHCOCK. The right of might.

Mr. JONES of New Mexico. That is, we would be placed in the position of being the wrongful possessors of property belonging to German nationals.

Mr. HITCHCOCK. I do not know that we are the wrongful possessors. I would not say that. We have taken that property and we propose to keep it only for the purpose of seeing that Americans are reimbursed in their claims against Germany.

Of course, the President of the United States, when he undertakes under his constitutional powers to negotiate a treaty with Germany, can be trusted at least to see that he gets the best possible terms out of Germany in a separate treaty. Meanwhile, however, we will hold that property. Germany is practically disarmed and prostrate before the world. Germany is in the hands of a receiver, and we, the greatest Nation in the world, are continuing to hold that property until the proper disposition is made of it.

Mr. JONES of New Mexico. I understand we will continue to hold it and I think we should regardless of our right in the matter, but what I am seeking to develop is the source of that right and by what power will we hold it? Will it not simply be because we have the Navy and the Army and other resources?

Mr. HITCHCOCK. Undoubtedly.

Mr. JONES of New Mexico. And that we would not be justified in holding it under any rule of international law; that we would simply be holding it by force of the circumstances of the case, and wrongfully holding it as against the country with which we are at peace if we declare a technical peace.

Mr. HITCHCOCK. I would not like to try the legal proposition here. Germany has seized our property and the property of our nationals in Germany and that is a matter which would have to be adjudicated in some way.

I wish to call attention to the fact, however, now that it has been brought up, that the proposed resolution indicates a very marked change in the opinion of the Senator who introduced it from that which he held in 1919. It recites:

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same, under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof or otherwise, or which under the treaty of Versailles have been stipulated for its benefit or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America.

And yet the author and introducer of that resolution in the Senate of the United States on August 29, 1919, made this declaration:

I think—

Said the Senator from Pennsylvania [Mr. Knox]—

I think we should renounce in favor of Germany any and all claims for indemnity because of the war and see that she gets credit for what we renounce, as indeed she should for the value of all she gives up as against a fixed and ample indemnity.

But here the Senator insists that when the treaty of peace is made with Germany she shall accord to the United States all of the indemnities, all of the reparations and the rights and the privileges which Germany can give to the United States and which were named in the treaty of peace. It is a strange change which has come over the opinion formerly held by the Senator from Pennsylvania in that regard.

Mr. REED. Mr. President, the Senator from Nebraska [Mr. HITCHCOCK] who has just taken his seat, complains of "a conspiracy of silence." The Senator has demonstrated that he can annihilate any conspiracy of silence in the Senate. So long as he is here every wrong will be exposed, every mistake uncovered, and the floodlight will be shed into all the dark places of the earth. [Laughter.] It is the first time that I have heard the complaint that in the Senate there is a dearth of speech making. Many complaints there have been that there are too many speeches. Having myself so frequently been an offender I have sometimes thought my colleagues meant to be a little personal when they criticized the number of speeches delivered here. [Laughter.]

The Senator from Nebraska next complains that we are infringing the powers and prerogatives of the President; that, contrary to his expressed desire in his first message to Congress, we are trying to control his conduct in the negotiation of future treaties with Germany. I had hardly expected to find the Senator from Nebraska appearing as the champion defending the present President. I am glad, however, to know that he recognizes the fact that there are three independent branches of the Government. It has seemed to me for a number of years that there were some gentlemen in the Senate of the United States who were inclined to doubt that there was such a thing as a division of power. They seemed to think that all power had been conferred upon the Executive. It is refreshing to know, even though the Senator from Nebraska appears here to-day as the champion of the Executive, that he does recognize the fact that Congress possesses some power, and he is now merely excited lest Congress shall abuse that power.

I wonder why the Senator from Nebraska should have read excerpts from the President's message and sought to leave the

impression that the President had protested against being deprived of his prerogatives by the passage of this resolution; yet that is exactly what the Senator sought to prove.

The Senator agreed that Congress was now about to do a very harsh, a very cruel, and a very unconstitutional thing, and that the President was vehemently opposed to such action, namely, the passage of this resolution.

Mr. President, there is no use in this body in reading a part of a document and leaving out another part that qualifies it or entirely changes its meaning and import. One may do that in the last speech to a jury and he may do it in a newspaper editorial where nobody has any chance to answer him, but with all the faults of the United States Senate, there is one that can not be laid at its door. It can be generally said if a Senator reads part of a document here and draws an unwarranted construction from that part, that some other Senator may read the remainder of the document before he gets farther than the cloakroom, where some Senators have the habit of going as soon as they have concluded their remarks. [Laughter.]

Now let us see whether we are wronging President Harding. Are we putting something on him against his will? Are we tearing the mantle of his authority from his shoulders and laying the hands of violence upon his high prerogatives against his will and his desire? Here is the Republican campaign textbook which contains President Harding's speech of acceptance. This is what he said to say:

In the call of the conscience of America is peace, peace that closes the gaping wound of world war and silences the impassioned voices of international envy and distrust. Heeding this call and knowing as I do the disposition of the Congress, I promise you formal and effective peace so quickly as a Republican Congress can pass its declaration for a Republican Executive to sign.

That is the language of the man who, according to the Senator from Nebraska, is being outraged and ravished by this resolution. Mr. Harding added, in direct context with what I have read:

Then we may turn to our readjustment at home and proceed deliberately and reflectively to that hoped for world relationship which shall satisfy both conscience and aspirations and still hold us free from menacing involvement.

That was said before the campaign, and therefore some of my friends may see fit to say that it does not bind. Now, I come to the very document from which the Senator from Nebraska read in his effort to prove that the President had protested in a formal message against being shorn of his power by the passage of this—the Knox—resolution. The Senator read and drew his deductions from some mere generalizations, which, like "the flowers that bloom in the spring," have nothing to do with this particular case. Why did the Senator not read this language:

To establish the state of technical peace without further delay, I should approve a declaratory resolution by Congress to that effect, with the qualifications essential to protect all our rights. Such action would be the simplest keeping of faith with ourselves, and could in no sense be construed as a desertion of those with whom we shared our sacrifices in war, for these powers are already at peace.

With the President standing, his hands outstretched, telling Congress in advance that this particular resolution ought to be passed, and that if passed he will sign it, there is no mind except that of the Senator from Nebraska capable of finding in the passage of the resolution a usurpation of Executive authority. Let us therefore compose our minds with the consoling thought that, at least, the soul of President Harding will not be harrowed up, his honor tarnished, or his office ravished if Congress does exactly what he specifically and directly pledged the American people he wanted Congress to do, and specifically and directly pledged the American people he would approve after it had been done.

I now invite your consideration to another proposition. It is asserted that we are abandoning our allies by declaring the state of war to have ceased. It is said that, like cowards, we turn our backs upon our brothers who fought with us upon the ghastly fields of war and are leaving them to contend alone with the common enemy, and so forth.

A grosser misstatement of fact has never been made to the American people, if we exclude the misrepresentations made regarding the virtues of the League of Nations. I must always exclude that topic, because I believe that if it be true that the Recording Angel sets down misstatements of facts he must have had a larger force setting down the misrepresentations made regarding the League of Nations than he ever had at work at any one time since Adam was a boy. [Laughter.]

The statement so often made that we are abandoning our allies has probably misled many people who are probably unfamiliar with the facts. Such statements made from a high place will naturally mislead the American people for a time.

But the people have a way of finding out the truth. False arguments based on false statements of facts ought never to be made on the floor of the Senate.

I propose to state cold, unadulterated facts. Before I get to that, however, let me illustrate a situation.

I agree absolutely to the proposition that when the United States entered this war, although we had no treaty arrangements with France, Italy, or England, although we did not even call them our allies but "our associates," as soon as we had entered the war a condition of fact arose which made it incumbent upon us to stay with them until the termination of the conflict. This I say because we had not been in that war a day until they were helping us and we in turn were helping them; accordingly, if we had withdrawn from the conflict and left our associates to continue it alone, we would have been guilty of an act of peridy. We were bound to stay until Germany was whipped. But when Germany was whipped, and when our allies or associates had demanded the terms which they wanted to impose on Germany, when we stood by their side with our sword pressed against the heart of Germany just as their swords were until they had made a peace that exactly suited them, and that peace had been signed and put into effect by them between themselves and Germany, we discharged to the letter every obligation due them.

Let me illustrate: If six men are engaged in a conflict, three on a side, and a fourth man, having been injured, enters the conflict, fighting beside three of the men, they have the right to expect him to stay until the enemy is conquered. But when each of the enemy is upon his back, when he has surrendered, when the three gentlemen first in the conflict have said: "We want your watch, and have taken it; we want your clothing, and have taken it; we want a mortgage upon your future earnings, and have taken it; we want a bond that you will keep the peace, and have taken the bond"; and the party who last entered stands by and says: "Are you now satisfied? Have you taken all you want?" And they answer, "Yes," surely the associate of the three men is discharged of further obligations. Especially is this true if the three conquerors shake hands with the enemy and sign with them an agreement of amity and peace. Surely when they have done this, when they have received the last ounce of flesh, they can not be heard to complain if the fourth man shall say "So far as I am concerned, the fight is over. I am going to quit fighting. There is no longer a fight."

The claim that by so doing the fourth party is abandoning his associates is not only unsound but it is absurd, ridiculous, imbecile. The illustration exactly pictures our attitude in the German war, our relations to our allies, and what it is now proposed that we shall do by the passage of the Knox resolution.

The fact is that if anybody was abandoned in this great world contest, it was the United States.

If any nation has a right to complain of abandonment, it is the United States; and why?

A treaty of peace was negotiated between Germany and the Allies. Our President helped negotiate the treaty. But everybody in the world knew that the treaty could have no binding effect upon the United States until the Senate had advised and consented to it. America was in no manner bound until the Senate, representing the people of the United States, under the Constitution charged with the high duty of passing upon that document, had set their approval to it. The representatives of England and France and Italy knew that very likely the Senate never would approve it; yet, with that knowledge, they wrote into the treaty this provision:

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the treaty has been ratified by Germany on the one hand and by three of the principal allied and associated powers on the other hand.

From the date of this first procès-verbal the treaty will come into force between the high contracting parties who have ratified it. For the determination of all periods of time provided for in the present treaty this date will be the date of the coming into force of the treaty.

The treaty was signed on June 28, 1919, by the plenipotentiaries of Germany and the allied powers. It was ratified by the German National Assembly July 10, 1919; by the British Parliament July 25, 1919; by the King of Great Britain July 31, 1919; by the King of Italy October 7, 1919; by France October 13, 1919; by Japan October 27, 1919. The procès-verbal was promulgated, as I have the date, on the 10th day of December, 1919. On that date the peace between England and Germany became complete, but we had not yet reached a state of legal peace. The treaty between France and Germany became complete, but we were still out in the cold. The treaty between Italy and Germany became effective, but we were still left out in the cold. The treaty between Japan and Germany



became effective, but we were still left out in the cold. We might well have said to these Governments: "We desire to make a different treaty. The Senate of the United States has rejected this treaty, and you ought not to declare peace with Germany until we have made terms satisfactory to us." We might well have said: "You have abandoned us by declaring a state of peace between yourselves and Germany before we have had the chance to make a treaty with Germany that satisfies us." If we had had great demands to make upon Germany—our allies had great demands—we would have found ourselves left to contend with Germany alone. We had no option by which we could protect our rights except by accepting the treaty they had made, however unsatisfactory it might be to the American Government, or to make a separate treaty without their assistance. Such a treaty we must negotiate with an enemy after they had made peace with that enemy.

Now, I make no complaint at all because they abandoned us; but if we had been a weak power, if we had wanted to demand much, ever so strong as we are, we would have loudly complained that our allies had no right to make peace until we had made our treaty and until Germany had accepted that treaty.

I do not want my language to be offensive or to seem harsh, but I repeat that the pretense that the United States is abandoning these countries by declaring ourselves to be in a state of peace, just as they for over a year have been in a state of peace, is utterly contemptible.

But it is asserted by some that we should not now make peace, because Germany has not, according to the opinion of these gentlemen, done everything she agreed to do in the treaties which were made and signed between Germany and France and England and Italy. That is to say, we should keep ourselves in a technical state of war as a sort of threat against Germany while they, our former allies, have made their peace and are at peace, and that we should do this in order to help our former allies collect the indemnities they say they are entitled to under the agreement they made and put into effect without our being a party to it. Well, let us see just where that will lead us.

Some of the provisions of this treaty with Germany will not be carried out, under its terms, for 15 or 20 years. The logic of these gentlemen, then, is this, that England, France, and Italy, having solemnly made peace between themselves and Germany and thereby withdrawn the threat of war, are to continue to enjoy that condition of peace while for 15 or 20 years the United States is to continue to remain in a state of war, not for its own benefit but for the benefit of these countries which have already made their peace. In the name of common sense, how can that sort of position be maintained? How can anybody advance that kind of an argument in a forum of reason?

Mr. KING. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I yield.

Mr. KING. I do not know whether I fully comprehend the position of the Senator, but if I do understand his position, I confess this is the first time I have ever heard the suggestion that we should maintain a position of technical war, or rather that we should remain technically at war, in order to help the Allies. The principal position I have heard taken by those who are opposed to this resolution is that we ought not to declare peace until we have negotiated a peace which would be satisfactory to the Allies. I am interested in ascertaining whether persons have made that argument, because, if they have, I agree with the Senator it is not one which commands my support, and I can not quite understand how it could command the support of anybody.

Mr. REED. I can read from the distinguished Senator from Minnesota [Mr. NELSON] as late as yesterday. I have heard the argument here, and heard it on the hustings, and I think I have read it in a certain platform adopted at a convention where they did not have the benefit of my advice and consent. I read from the remarks of the Senator from Minnesota [Mr. NELSON], made on yesterday. I dislike to take the time, but since the Senator has raised the question I shall read from his speech. He said:

The course pursued in establishing final peace by the Knox resolution, as is now proposed, is unusual, halting, equivocating, and only a partial and piecemeal work, omitting some of the most important essentials for a just, permanent, and lasting peace. The resolution establishes peace on the following conditions and reservations: First, All property of the German Government or of German nationals seized, held, and controlled by our Government since April 6, 1917, shall be retained until disposed of by Congress and until the German Government has by treaty made provision for the satisfaction of all claims of our own people for losses suffered by them through the war since its

inception in 1914. Second, Granting to our people the most favored nation treatment as to their lives, their property, and their business. Third, Confirming to the United States all fines, penalties, forfeitures, and seizures imposed or made by our Government during the war, and a waiver of all claims of the German Government and its nationals against the United States. And, fourth, a reservation of all benefits conferred upon the United States by the treaty of Versailles, but totally oblivious as to whether the Allies secure any benefits whatsoever under the treaty.

The first three classes which I have mentioned may well be grouped under the general head of reparation to the United States, so that the only peace condition imposed upon Germany by this resolution is such reparation as is prescribed in the classes named and the benefits conferred upon the United States by the treaty of Versailles.

When Germany has complied with these conditions she has acquitted herself of all obligations under this resolution, and no further claims can be made upon her for obtaining the peace; and as to the United States, she can breathe freely and be at her ease, for she is no longer under war pressure but merely subject to moral suasion in further negotiations.

Two of the most important and vital matters pertaining to a just and permanent world peace, to wit, disarmament and reparation, are entirely omitted in this resolution. It places our country in an attitude of total indifference in regard to these vital subjects. Germany has heretofore been most reluctant to comply with the reparation and disarmament provisions of the Versailles treaty. Will not the passage of this resolution tend to increase and fortify such reluctance?

By this resolution we insist upon full reparation for ourselves, but are wholly oblivious as to whether our allies, by whose side and aid we vanquished the common enemy, secure any reparation at all.

It is the whole argument of the speech. Now I read from a speech made by the Senator from Nebraska [Mr. HITCHCOCK] on May 12, 1920. Of course, that is a good while ago, and a man has a right to change his mind several times in such an interval. He said:

Mr. President, we entered into the war and associated ourselves with certain nations. We were practically under a pledge to remain with those nations until a peace was concluded and we were a party to it. Now it is proposed to desert, now it is proposed by these various peace and end-the-war resolutions to make a separate deal with Germany, to compel Germany to make a separate deal with us. How does that comport with the utterances and the pledges of Senators so few months ago?

Mr. President, if I wanted to take the time, I could go through the CONGRESSIONAL RECORD and read statements similar to that which have been made upon the floor of the Senate, and I would be reading to-morrow morning when the cock might crow.

So let us be done once and forever with the proposition that we are abandoning anybody. If there was any waif tucked in a basket and left on the doorstep of fortune in this war and abandoned, it was the infant Uncle Sam. Luckily he is a right lusty fellow and perfectly able to take care of himself.

Mr. President, I have heard it argued here, not to-day, during this "conspiracy of silence," but when substantially the same resolution was before the Congress, that the Congress was powerless to pass this sort of a resolution; that it amounted to treaty making, and therefore that it was violative of the Constitution of the United States.

If it is violative of the Constitution of the United States I am not going to vote for it. I have never knowingly voted to violate the Constitution of the United States. I have voted against a good many laws which since have been declared unconstitutional.

I think it is more important to preserve the Constitution of the United States than it is to make peace with Germany. It is more important to preserve the Constitution of the United States than it is to regulate rents in the city of Washington or in New York City. It is more important to preserve the Constitution of the United States, to keep it sacred, except as it may be changed by the people in the manner and form prescribed in the Constitution itself, than to do any other one thing in this world.

But let us see if we are violating the Constitution of the United States. I grant you that the President has the power to negotiate treaties, but those treaties have no force or effect whatsoever until the Senate has advised and consented to them. Up to that point they are a contract not yet signed. They do not bind either party any more than a deed to a piece of real estate binds the seller until the seller has put his name to the instrument. It is a dead thing, and the first spark of life that enters it is given to it by the act of this body. The people have so written in the Constitution.

Mr. President, I would not interfere with the right of the President to negotiate an agreement which is merely tentative and which comes back here for submission. But are we doing that or interfering in that way by this resolution? An examination of the Constitution will show that, after all, the office of President is one of extremely limited powers. The President has no power to declare war. That is a power vested in the Congress of the United States alone. Every war power, so far as the declaration and making of war are concerned, is vested in the Congress.

The Constitution provides that—

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;  
To raise and support Armies, but no Appropriation of Money to that use shall be for a longer Term than two Years;  
To provide and maintain a Navy;  
To make Rules for the Government and Regulation of the land and naval Forces;  
To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;  
To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States.

The war power is in Congress. The President has not a single war power on earth. When I say that I mean with relation to the raising of armies, declaring war, and putting the military forces in condition to act. But when the war has been declared by Congress, when we have created the condition that warrants the moving of the troops, then the President acts as commander in chief of the armies that Congress has raised and equipped and set in motion by the declaration of war.

Mr. COLT. Since the executive power under our Constitution is absolutely separate from the legislative power, and the President having control over our foreign relations, except in the ratification of treaties, does not the Senator think that in the practical operation of the Constitution the President can lead us into a condition where war becomes almost inevitable?

Mr. REED. Oh, yes; I grant that; and so I might say that anyone of our responsible officers engaged in the foreign business of the country might any day do an act that would result in plunging this country into war. Why, the commander of one of our vessels could to-morrow, if he wanted to do a thing that was so utterly disregarding of his duty, fire upon a friendly British vessel. Probably by that act he could bring on a war. However, I am not talking about what the President could do by an abuse of his powers, that he may be able to create a condition that will so exasperate other nations that they will declare war upon us. I am speaking about his power, the power that he gets from the Constitution.

I take exception to my very learned friend's statement that the President has complete control of our foreign relations.

Mr. COLT. Having control of our foreign relations so far as negotiations are concerned, may I not ask the Senator if in the conduct of those negotiations it is not within the power of the President to lead to conditions which almost force upon Congress a declaration of war? I should like to ask the Senator whether he has not considered that the power which the President of the United States has under our Constitution is an unusual power?

Where they have a ministerial form of government, there is this essential difference between the working of our Constitution and that form of government. Under a ministerial form of government the Executive is subordinate to the legislative power, and he can not do any act which is not supported by a majority of the legislative body. In other words, the executive power is subordinate to the legislative power; while, under our Constitution, the President is elected for four years, and possesses all the great powers conferred upon him by the Constitution, independent of any action of Congress; and in the field of foreign relations the President of the United States has a power which no king possesses under any modern monarchical form of government.

Mr. REED. The Senator asked me several questions, made a very interesting speech, and answered his own questions, I take it, to his complete satisfaction.

I make this distinction. I understand that the President with his great powers—that is, the power to negotiate treaties and the other powers that go with his office—may so conduct that office as to get us into a great many difficulties. But that does not mean that he is conducting them within the just limits of the Constitution or that he is conducting them with proper wisdom. I do not care for the present to enter into a discussion of the advantages of ministerial government over our form of government, for with all the weaknesses that may have been developed in the American form of government I think it is so much better than any others yet devised by the wit of men that they are not entitled to be mentioned in the same day with it. Nevertheless, it may be necessary some day to put some limitations of an express character upon the Executive, but I do not care to discuss that or even to commit myself upon it.

Now, coming back to the theme I was trying to discuss, the plainest purpose of the Constitution was to leave with the Congress the right to declare war and to provide every soldier and every dollar to conduct the war. The simple power of the President is to command the forces which Congress has provided. Congress can dissolve that army in a moment by

simply refusing supplies. It can take away from the President every soldier and every ship he may have under his command simply by passing a law to that effect. Therefore, the power to make war and wage war is vested in the Congress, and to say that the power that initiates the war and wages the war can not end the war is to say something that, it seems to me, does not warrant very much discussion.

If the President refused to take command of the army which Congress had raised, and to fight a war which Congress had declared, he would violate his oath of office and he would be subject to impeachment. But if Congress refuses to provide an army, it is within its power. I can provide an army of 1,000 men or 10,000,000, the President, of course, having the right to sign the bills or refuse to sign the bills creating the army, but Congress having the power to pass the bills, his veto notwithstanding.

So that the power to declare war, the power to raise the armies, the power to carry on the war, is all congressional power. No man will dispute the fact that if the President refused to defend the country, he could be instantly impeached and a man put in his place who would perform his duties properly, and that power of impeachment and removal rests in the Congress.

I wish to get it finally understood that the heart of the American Government, under the Constitution of the United States, is in the representatives of the people assembled in the two wings of this Capitol. I say that with all respect to any President; but powers of his office are extremely limited, and can be reduced to a cipher whenever Congress sees fit to take the necessary action. Why, the control of the supply bills alone is sufficient, as was found by one President of not entirely sacred memory.

This is not and I hope no one will construe it as a criticism of the President or of that office, for I would give to that office all of the just prerogatives going with it, and I would not interfere with any one of them.

The question we are discussing, however, becomes all the more simple when we take the very case in hand. Here let me say that there seem to be some Senators who can not distinguish between a treaty of trade and commerce or peaceful proceedings between different countries under an agreement and a state of war. They seem to think that the only way that we can be at peace with a nation is to have a treaty with it, and that if we ever had a war we can not end the war unless we sit down at a table and sign a treaty that both sides agree to end the war.

Why, fellow Senators, a condition of peace or a condition of war has absolutely nothing to do with treaties. War is a state of fact. It is not a state of agreement or lack of agreement. War is a fight, and as long as the contestants are fighting they are fighting, and when they quit fighting they are not fighting. When two nations are on the battle field fronting each other and attacking and repelling attack they are at war, and when they disband their armies, fold their war flags, haul their cannon to the rear, and stop fighting, there is no war. War is a state of fact and not a paper state at all.

Let me demonstrate. On the 11th day of November, 1918, the last shot was fired on the Argonne front. That did not absolutely end the war at that moment, because we may say, construing this practically, that there was a period when it was uncertain whether the armistice would become permanent and whether war would actually cease, or whether the fighting might not immediately begin again. But in the course of a few days' time it became absolutely apparent that there was no intention on the part of any one of those nations to once more begin firing. The armies were taken home, they were demobilized, Germany surrendered, and to call it by any other name is absurd. She surrendered her arms to such an extent, as the President said, she could not again renew the war. She made herself helpless. We began loading our troops into vessels until the sea was churned into foam by the great argosies that were bringing back our boys from the front. The English Channel was thick with returning transports bringing back the English soldiers. The war was over. The President declared, "Thus has the war come to an end." And, Mr. President, if there never was a treaty written between the United States and Germany this German war is at an end. It is a state of fact and not a paper state.

Very well. We might live in this way forever; we might renew our trade relations with Germany; we might allow German citizens to come over here to our country, just as they came in the past; we might take up every line of communication that we had before the fateful day in August, 1914, and the still more fateful day in April, 1917, and we would be at peace with Germany; the war would be ended.



Mr. President, we have been at peace for years and years with countries with which we had no treaty. When this country was organized it was some time before we made treaties with all the countries of the world, but we were at peace with them; we were not at war with them simply because we did not have a treaty with them. Peace and war have nothing to do with treaties; they are states of fact.

However, in the ordinary disposition and orderly procedure of business we do have treaties with nations, in which we pledge mutual amity and good will and in which we set down upon a piece of paper certain rights that each of the Governments will accord to the respective nationals of the other. That is merely a matter of arrangement, in an orderly way, of an agreement to the end that each party will fully understand the rights of the other; but so far as the fact of a state of war or peace is concerned is wholly unnecessary. War is a question of fact, I repeat, and not a question of paper.

Now it may be asked, "Then, why is it necessary to pass this joint resolution? What good will come from its passage?" The Senator from Nebraska says that the resolution is wholly unnecessary because we have already passed a joint resolution which declares a state of peace. Mr. President, if the Senator is correct, then the passage of this resolution will do neither harm nor good, because it will not change anything. We have already passed the necessary act to create an absolute condition of peace and to terminate the war legally, and therefore, says the Senator, this is unnecessary. If it is unnecessary, if it will do nothing, if it will affect nothing, why spend any time resisting it? If you have already decided away your property and have done it voluntarily and the deed is valid in law and equity, why should you fret or worry at all if some lawyer presented you with another deed and said he thought it was in a little better form? The Senator from Nebraska argues himself out of court. The minute he states that the thing has already been done he is taking away from himself the sole reason for resisting it.

Mr. President, the thing has not already been done. We have not already formally declared peace; and having argued, as I have, that peace and war are questions of fact, the inquiry will at once be made, Why is it necessary to do anything? I answer that since Congress declared a state of war to exist and passed various acts which were to remain in effect during the continuance of the war; since also the claim has been repeatedly made and repeatedly sustained that we are still technically at war, it is the judgment of courts and of lawyers that in order to reach the status of peace Congress must declare that status. The courts do not go back of the acts of Congress.

It has been the decision of many courts that, although the war has ceased as a fact, it still exists technically as a matter of law. Men have been tried and sent to the penitentiary under war legislation since the shooting on the battle fields ceased, and numerous acts of legislation have been predicated upon the doctrine that the country is still technically at war and will be technically at war until Congress shall determine the state of war to have ended.

It is true that in the joint resolution to which the Senator from Nebraska referred, which we passed a few months ago, we did repeal certain war-time legislation, and we did say that, for the purpose of the construction of those particular acts, the war should be deemed to have ended at a certain time; but that was an act, as everybody knows who was concerned in its passage, which was intended merely to change and fix the running of the period of limitation which had been written into and was a part of the phraseology of certain war acts. It was not sufficiently general in its terms to make it certain that the state of war had ceased. If we allow a technical state of war to continue to exist, then this Congress might pass laws and call them war legislation, and they might be sustained as war legislation by the courts, when the courts would not sustain the legislation at all as constitutional if peace had been formally declared. That is the reason this joint resolution ought to be passed. It is a perfectly sound reason; and yet Senators stand here and tell us we have already passed the necessary act to terminate the war, refuse to pass an act that is clear, unequivocal, and unmistakable, and say that we are taking away powers from the President which, in their opinion, we have already taken away.

Just one word further. Can it be claimed by any reasonable person, when we apply this joint resolution to the facts with which we are dealing, and even though we give to the powers of Congress the most limited construction, that Congress is exceeding its power in any way?

What are the facts? The facts are that we never declared war on Germany, Germany had fired on our flag; Germany had sunk vessel after vessel; Germany had sent to the bottom of the

ocean hundreds of American citizens who were sailing under the protection of the Stars and Stripes. Every ship she fired upon was fired upon in direct violation of our rights on the seas. Every shot fired was a hostile shot. Every one of these acts was an act of war against the United States.

In the aggregate they amounted to a concerted and deliberate attempt to destroy the commerce of this Nation upon the high seas, and finally they impudently warned us from the ocean. Every one of these acts was an act of war.

What did Congress say? It said that the German Government was making war on us, and hence we officially declared that a state of war existed—not a war that we made, not a war we were then creating, not something that would come into being by virtue of our act—but we declared that a thing had happened and was happening, and we declared that to be war upon us. The thing that was happening stopped about the Tenth day of November, 1918. No longer did Germany sink our ships or fire upon our flag; no longer did she murder American men and women sailing the ocean, or, if you do not like the term "murder," brought them to their death in the prosecution of her war upon us. No longer did she attack us. The condition of fact which we declared to exist no longer existed; and can we not say that it no longer exists? Can we not officially declare the fact that no longer is our flag fired on; no longer is Germany committing any warlike acts against us; no longer are her navies ravishing our commerce, and therefore no longer does the state of war which she created continue? To state it puts it beyond dispute. We undoubtedly have the right to make this declaration.

It has been argued, however, that when we pass this joint resolution we have limited the President's right so that he has not a free hand in negotiating future treaties with Germany.

Mr. President, a reading of this joint resolution candidly and fairly, it seems to me, will dispel that argument. Ordinarily, war having ceased, and it being officially declared that war has ceased, certain things follow. Being at peace with Germany, citizens of Germany could claim their rights and claim restoration of their property. The German Government could send over its agents and claim the ships of that Government. That would be a condition which would follow a declaration of peace if nothing were done to prevent the condition.

We declare the state of peace, but at the same time we provide as a matter of law that the German property now in the possession of the United States and its agents shall be impounded and held and not turned over to Germany until such time as Germany shall make reparation to us. Have we not the right to do that? But we do not go quite so far as that. We simply provide that this property shall be impounded and held by us—

until such time as the German Government has, by treaty with the United States of America, \* \* \* made suitable provisions for the satisfaction of all claims against the German Government of all persons, \* \* \* who owe permanent allegiance to the United States.

"Made suitable provisions!" Why, the language in its last analysis means nothing more than this—that this property shall remain impounded until Germany has made a treaty that is satisfactory to us; and the moment a treaty is brought here that is satisfactory to us, it will be the "suitable provisions" referred to in this act. When that treaty is negotiated the President can insist in the negotiations on full reparation, or he can qualify it, notwithstanding any language that may be here used; and when the treaty comes back if it does not suit the Senate, the Senate can amend it and put in the qualifications it desires to put in. So that all this language means, in the last analysis, is that this Government will hold this property until Germany makes a treaty that is satisfactory to us. That is all there is to it.

My very good friend from Nebraska, whom I very much admire, has told us that the trouble in this country to-day is our international relations; that cotton is cheap; that if we had the proper international relations cotton would bring a better price; and I suppose that argument could be justly extended, for the same idea would control, to all American farm products and to the products of many of our factories and looms. Let me examine it for a moment. Let me assume that it is correct—a thing that I can not concede at all in the broad way he has stated it.

If it be true that the price of cotton can be settled by bringing about peaceful conditions in Europe, then the first step to take is for the United States also to declare peace and thus restore trade relations to a normal condition between this country and Germany; and yet the Senator stands here protesting against the first step to open the German markets. "Oh," he says, "they are open." Now, we all know that they are open only in a qualified sense. Goods are licensed that are sent there, and until there is a formal declaration of peace in this

country there will be more or less of an embargo on business between the United States and Germany. Every man who is interested in marketing in Germany cotton or wheat or beef or anything else that we produce ought to be advocating the declaration of a state of peace and not waiting the long months that will intervene in the negotiation of any treaty, because the negotiation of a treaty with Germany to-day will probably require a considerable lapse of time—how much no one can determine in advance.

There are but two ways open. One is to pass this joint resolution and then negotiate the treaty, in the meantime having restored trade and commerce and peaceful relations. The other is to defer the restoration of peaceful relations and defer the renewal of business to await the ultimate negotiation of a treaty which may require months of time; and in the meantime your cotton farmer, over whose sad case the Senator from Nebraska, where they do not raise any cotton, is shedding tears, is to continue to try to market his cotton in a country with which we are still in a technical state of war.

There is another possible road, and that is for this country to go in and sign up this League of Nations. Well, what is the use in discussing that? I do not want to discuss it again. I had a dog once that I loved very intensely, but he had one habit that was utterly abominable, and I do not propose to imitate it. He found somewhere the decaying carcass of some beast, and he used to go out and roll in it every day. I am not going to dig up the corpse of the League of Nations and indulge myself in the dog's habits.

No matter what you think of it as a practical remedy for the conditions of to-day, if you want to help your cotton farmer, and I blame no man for wanting to do it; if you want to help your cattle raiser, and I blame no man for wanting to help do it; or your wheat grower, and I blame no man who does what he can to help the wheat grower—I should like to help all of them—can we be foolish enough to defer a declaration of peace which will do much good in order to have an agreement ratified, when I know that the President of the United States has declared that that proposition is as dead as Julius Caesar? You know that it never will be laid before the Senate while Warren G. Harding is President of the United States, and he is in pretty sound health.

So that as you turn to this question your League of Nations road, no matter how dear it may be to you, is absolutely blocked by the presence of one Warren G. Harding, President of the United States. It is likewise blocked by a host of Republicans in the Senate and in the House, that greatly outnumber the friends of the league, sustaining the President in his stand; and then back of them stands an election where 8,000,000 more American voters voted against this thing than voted by any kind of stretch of the imagination for it. Therefore you have no possible hope of relief from that source. We may stand here and say we would have had 40-cent cotton if we had the League of Nations, or we would have had \$20 pigs if we had the League of Nations; we can say it until we are black in the face, but we have not got the League of Nations, and we are not going to get it in the next four years.

Why not meet this question in a practical way? Why should not we Democrats join in passing this joint resolution, and take the first step for the conclusion of a formal, legal peace, the opening of this market, and the acquisition of whatever benefits will flow from an open market with a peaceful nation?

Moreover, it will help Germany. I hope we have gotten far enough from the war now so that a man can talk about these questions in a practical way without being denounced as pro-German. If we intended to continue a state of war with Germany, then the armistice should never have been signed; our troops should have marched on to Berlin, spending whatever blood was necessary, ravishing German towns, and teaching the Germans at the point of the bayonet the awful results of war. But we did not take that course. We declared an armistice. An armistice is the preliminary to peace, and peace is a preliminary to trade relations.

Now, we have come to a time in the history of the United States when we need foreign markets, and German money for American-made goods will help American boys and men and women and girls who work in our factories and on our farms to find a market for what they produce. It will help them to support themselves and their families.

England has been trading with Germany for two years under a condition of declared peace. France, Italy, and Japan have been doing the same thing. We alone have been proceeding under the restrictions of a governmental regulation. Why should we not, in order to help ourselves, do what the Senator from Nebraska undoubtedly had in mind when he made the remark to which I have been adverting? Why should we not

enable them to restore their industries, so that they will have something with which to buy from the United States and to pay the United States? If we are not going to do that, then, in the name of our country and of common sense, let us declare we are going to stay in a state of perpetual war, that we will have nothing to do with them. Some people advocated that during the war. But our erstwhile allies are not advocating it now. They are trading every day.

Mr. McCORMICK. If the Senator will permit an interruption, let me suggest at that point that the British are in co-partnership with the Germans in many enterprises.

Mr. REED. Undoubtedly.

Now, Mr. President, while it is a little aside from the question, but because it is related to the particular topic to which I am now addressing myself, let me say a word about Russia.

There are 180,000,000 people in Russia. They never did a warlike act against the people of the United States. Some four to six million of their sons went to their deaths in the early days of the European war, and if they had not stretched their bones upon the plains and in the swamps and died the death, Germany would have overwhelmed France and England and Italy. They were under the most tyrannical and most inexcusable government existing in all the world, an absolute autocracy, under which 1 per cent of the people owned substantially all of the property and lands.

Until a few years ago 70,000,000 of them were serfs, attached to the soil, and passed with the land, as the cattle and the houses and the fences passed. That was their state until the decree of Alexander released the serfs. But when they were released it was under such conditions as to make it impossible for them to acquire property in any considerable amounts, except through the long course of the toilsome years. What have you to say of that government which, in the gentle sunlight of modern civilization, still chained white men to the soil and drove men, women, children, and babies, without trial and in herds, into exile in Siberia; who enforced decrees with the knout laid on the naked backs until the flesh dropped from the bones? At the beginning of this war and in this our twentieth century 90 per cent of the people of this autocratic government could not read or write, were practically without any education, reared in ignorance, driven as beasts, lashed like cattle, destroyed without mercy, ridden down by the iron-shod hoofs of the aristocrats, and brought to that condition of intellectual servitude and ignorance and bestiality by their oppressors.

Although this story was known to all the world and to our Government, we not only traded with Russia but we made treaties of amity with her, and we sent congratulatory telegrams on the birthdays of her Czars, and we treated her as a brother in the family of nations.

What mattered it to us if they denied all constitutional rights? What mattered it to us if the rule was the rule of the bayonet? What mattered it to us if children were born to creep and crawl through this life in the lowest strata of existence, where there was not a single flicker from the lamp of intelligence permitted to reach them? We traded with them. We trafficked with them. We made treaties with them.

That ignorant people at last rose against their masters and they set up the kind of government which you might expect ignorant men to set up. It was not ideal. It outraged many principles of finance and economics. But it is a government at least that has established tens of thousands of schools. For the first time in the history of Russia there is such a thing as a public school. For the first time in the history of Russia the common man is permitted to hold aloft the torch of learning. For the first time into the night of ignorance and superstition and fear there comes the faint glimmer of the dawn of a better day.

Now, because they have not set up just the kind of government we would set up, our Secretary of State declares that we will not trade with 200,000,000 people.

Two reasons are assigned: One is that they have nothing to trade with and the other is that we do not like their form of government. As for the first, which I believe emanated from that high and almost sacred authority, Mr. Hoover, that they have nothing to trade with, I denounce it as so ridiculous and puerile that it is a disgrace to a white man to stand here to refute it. To say that 200,000,000 people, occupying a territory nearly four times as great as the United States, rich in every resource of the earth except the fruits of the forest, with mighty herds of cattle and horses, with vast wheat fields, with the richest furs there are in the world, with mineral wealth, have nothing to trade with is an absurdity which could only have come from the lips of a Hoover.

I have a friend, a man of great intelligence, who spent 10 months in Russia, attached to the American forces as an in-



telligence officer, and who was on the commission permitted to go back of the Russian lines to examine the condition of American prisoners. He said that he saw bales and bales, and bales of the costliest furs of the Arctic and of the Russian north-land lying there awaiting shipment, and that there was a clamor for tools, instruments of industry and husbandry.

Let me tell you another awful story. This will stir your blood; it will make every red corpuscle stand up ready to fight; it will outrage your souls when you hear about the treatment of these American prisoners. This friend of mine said they were quartered in the homes of the people; that they had as good beds as anybody else; that they got 25 per cent more rations than the citizens—the same amount as the soldiers of the Russian army; that they were permitted to go about town wherever they pleased—to the theaters and moving-picture shows—and all they had to do was to report at a certain hour at night. This treatment they received from those brutal men who have been pictured to us in such black words.

Now we are told we must not trade with them. Russian gold has been brought here, and they have asked to be permitted to purchase. We have been told that somewhere, sometime, somehow, some Russians got some gold which belonged to somebody else, and that we can not trade with them until that gold is paid back. In other words, we are to constitute ourselves, among other things, the collecting agency for other countries of Europe and get an abstract of title to every bit of gold that is offered here.

I am not speaking on behalf of the Russians, nor should I want to say I care nothing for the Russians, for I hope I care a little for all of God's creatures, however humble and however ignorant. I am considering this question from the standpoint of the interests of the United States. With 4,000,000 laborers, we are told, out of employment to-day, and with Russians here wanting to buy American products, with cotton at prices that bring tears to the eyes of my southern friends—and I do not blame them for weeping—why should we deny ourselves a market where there are 200,000,000 men wanting that cotton? Why should it be denied by the arbitrary decree of a Secretary of State plus a Secretary of Commerce? Why should we not sell to these people plows with which to turn over their soil? Why should we not sell them thrashing machines and reapers and binders with which to harvest and prepare their crops? Why should we not send them cotton goods? Why should we not send them machinery for their mills?

Is it because they have no money? Then we do not have to trade until they produce the money and pay it in hard coin on the soil of the United States.

You will not trade with them because you do not like their morals or their form of government? Let me answer that; bad as is their government to-day, and I abominate many of its principles, it is the best government Russia has ever had and the most humane. I care not if they have confiscated the property. They did no worse than the aristocrats who took all the land. I care not if they divide among 85 per cent of the people the property that formerly belonged to 1 per cent. That is better than to have it held by the 1 per cent who never had any other title except the title of the sword and never had any other right except the right of brute force. Of course, I do not believe in confiscation, but this kind of confiscation is better than the condition that preceded it.

When in the past have we refused to trade with people whose morals or religion or government did not suit us? Why, the first thing the Pilgrim Fathers did after they landed here and read a chapter in the Bible and thanked God for protection was to take out a string of beads and try to swap it to an Indian for about 100,000 acres of land. This Indian was a barbarian. He held his property in common. He did not live at all according to our rules, but we continued trading with him. We sold him knives with which he scalped us afterwards, and we asked no questions.

We have traded with the unspeakable Turk. It did not make any difference to us when we sold him a garment whether it was going to adorn the shoulders of a victim of the harem or whether it was to be a vestment of one who knelt toward Mecca and poured out his prayers to Allah. When we sent him steel we did not inquire into the state of his morals and we did not ask whether his government was constitutional or otherwise.

We trade with the Zulu, who comes to us stark naked with his bows and arrows and like barbaric weapons and who offers us something that we find to our advantage to take. We trade with the Patagonians, and, as has just been suggested by my friend the Senator from Georgia [Mr. Watson], who always sees a thing in its best form, we manufacture idols for idolaters, and, I might add, wooden nutmegs for the unwary. When did it come to pass in this country that a Secretary of State plus a

Secretary of Commerce could assume the power to cut off trade relations with 200,000,000 people?

Now, behold, I show you another mystery. We were led into invading this country, which had not done us any harm, but we followed the armies of France and the armies of England and some of our boys sleep there in graves of eternal ice. But when at last these other countries were through we withdrew, and now the countries that led us into Russia, whose fortunes we followed there, who claimed to have the *casus belli* which we did not have, are trading with Russia.

Moreover, four or five days before Mr. Hoover issued his protest against trading with Russia, England had made a trade treaty with Russia. Of course it is to the advantage of England, where Mr. Hoover lived so long, that they should trade with Russia and we should not trade with Russia. Of course there is no greater service can be rendered to Great Britain, anxious for trade, anxious that her people should be employed, than to permit her to occupy the Russian field alone and to have Cabinet officers who will keep the United States out that England can get the whole loaf. Of course it is only natural for a gentleman who spent all his adult life in Great Britain, whose every interest is in Great Britain, who is a director in something like a dozen great syndicates in Great Britain that are officered by British, and, of course, he is rendering a splendid service to that country. He can permit them to invade Russia and keep the Yankee from going in to sell goods and get part of the trade.

Mr. President, I am going to print as part of my remarks an article appearing in the Chicago Tribune of Wednesday, April 27, 1921, showing the volume of Russian trade with England, Germany, and Sweden. It will be noted that this article alone accounts for an expenditure by Russia in England of over \$800,000,000. It does not, therefore, seem that Russia's trade is so insignificant.

The article referred to is as follows:

[Chicago Daily Tribune, Wednesday, April 27, 1921.]

EUROPE POURS VAST SUPPLIES INTO RED RUSSIA—ENGLISH, FRENCH, GERMANS AFTER MOSCOW GOLD.

REVAL, April 26.

A great growing stream of trade is flowing through this port into Russia.

An English mission just has passed through here to Moscow to negotiate for large timber and mineral concessions in the Ural Mountains. A large number of railway locomotives and cars have arrived from Germany, and on the boxes which clutter the docks and warehouses appear even many French inscriptions.

The first thing that attracts your attention when arriving in Reval is the railway cars, loaded with the parts of a giant railway crane. The first car bears the name "Orenstein & Koppel, Berlin." The marks on the second car show that it is bound for Petrograd. There is a column of locomotives. All this German railway material is on its way to Russia.

Other loaded cars contain agricultural machines from Germany and Sweden, paper from Esthonia, dry goods from England, and crated goods from France.

Reval is the only gateway for the trade of Russia, and Hotel Petrograd, rented by the Russian trade mission, is the center of the whole administration for the vast imports.

An automobile is before the hotel—a splendid, most elegant German Mercedes, which attracts everybody's attention, since it is bright red. This is Trotsky's new car, which arrived a short time ago. Now Litvinoff is using it until the Russian Government finds an opportunity to send him a car from Petrograd.

An immense red flag hangs from the balcony. A sailor stands in the hall, and he asks every visitor the reasons why he wishes to see the Russian mission. They seem very distrustful.

In the corridors you meet young men and women secretaries, all very well dressed and visibly happy to be able to serve their bolshevist motherland in Reval and not in Petrograd or Moscow. The most beautiful furs are hanging in the cloakroom.

Direct trains again are running between Reval and Petrograd since the railroad convention with the Esthonian Government has been signed. The connections between Pskov and Isborsk will be taken up in the next few days; the Pskover Railroad bridge, which had been blown up, is repaired now.

Six hundred locomotives have been ordered by the soviet government in Germany and in Sweden. The first 10,000,000 gold rubles have already been paid in Reval on March 15. The second part of the purchasing sum—26,000,000 gold rubles—will also be paid in Reval. Two hundred of these locomotives have already been delivered. Besides a thousand Russian locomotives are being sent to foreign countries to be repaired. Nineteen locomotives already have arrived in Reval and are being repaired in the "Dwigatelworks."

The Reval factory Volta has received a great order for turbines; the Baltic Weaving Co. and the Kraehnholm Co. are working on big orders for thread and goods. These are all Esthonian companies. Big orders are to be placed with German chemical plants and textile factories.

The goods bought by the Russian Government in England amount to 225,000,000 English pounds, about \$800,000,000. These goods were all used for the red army. Further orders will be given to English manufacturers now that peace is signed.

All these orders go through Reval. A stream of gold comes from the Hotel Petrograd. Litvinoff has already paid 600,000,000 gold rubles to those who sold goods to Russia.

Mr. REED. If you desire to restore conditions in this country to the normal, it seems to me, while we may dispute about some things, we ought not to dispute about the proposition that no shrewd Yankee will ever sell his goods anywhere unless he gets a

price he thinks is beneficial to him, and that therefore if you will open the doors of the trade of the world to him and turn him loose he will take care of himself and he will bring back the money in the long run. But here we are with Senators protesting against declaring a formal state of peace with Germany, while France and England, particularly the latter, are trading with Germany and financing Germany. Then we find down at the other end of the Avenue the doors of the greatest country in point of natural resources and population in the world are closed to the products of American farms, American factories, American looms, and American genius.

Why? They are bolsheviks, it is said. What about bolshevism? Bolshevism is an idea. You can not stop an idea with bullets. You can not stop it with a tariff wall. You can not stop it with a club. You can give respectability to a false idea by attempting such methods. You can make martyrs of its advocates. The only thing that stops an idea is another idea. On the intellectual battle fields the only arms are ideas. You can only destroy ideas with ideas. If these people have a doctrine that is false, as I believe it to be false, if they have a doctrine that is wicked because it will not work out justly, as I believe it in that sense to be wicked, the way to meet that doctrine is not by running from it or trying to shoot it out of existence but to meet it with calm logic, and let it go, as many ideas went through the French Revolution, the way through trial to disaster and to ultimate destruction.

What we ought to do, Senators, is to insist on getting down to some plain, common-sense methods. If a man comes here from Russia with money and he wants to buy a thousand thrashing machines, let us put them on the cars, send them to the coast, take them off and put them on boats, and start them over to him. Let us take the money and build some more machines and furnish some labor for some more American citizens. If he wants to come here and buy cattle or sheep or anything else we have, let us pursue the same method. Let us do the same thing with Germany. Let us see to it that all the restrictions of commerce are relieved.

Why can we not go back to the proposition that if we are to have good times in this country we must keep our factories running, and hence we must have markets; we must keep our farms running, and hence we must have foreign markets? Why not make peace with every nation of the world, and as they resume the arts of peace the wounds of this war will gradually be healed, but as we do all of these things let us have regard for the fact that it is high time America began thinking a little bit of herself, of the sacrifices made to other nations, that have already rankled until they have become almost past healing. That condition must cease in this country. Let us spend a little time taking care of the United States of America.

Mr. McCUMBER. Mr. President, I ask unanimous consent to call up a little judgeship bill which will take only a moment. It is a bill which it is quite necessary to pass as early as possible. It was reported to-day and provides for a judgeship in North Dakota.

Mr. McCORMICK. Does it propose to create an additional judicial district?

Mr. McCUMBER. No; it is a case where a judge is unable to perform the duties.

The VICE PRESIDENT. The bill is not at the desk. It has been sent for and will be here in a moment.

Mr. POMERENE. Mr. President, while waiting for the bill will the Senator from North Dakota yield to me?

Mr. McCUMBER. Certainly.

Mr. POMERENE. I present the views of the minority members of the Committee on Foreign Relations on the pending joint resolution. I ask that they may be printed in the usual form and also that they may be incorporated in the RECORD, in order that Senators may have an opportunity to read them.

Mr. NORRIS. May I ask the Senator if he has presented the views of the minority on the pending joint resolution?

Mr. POMERENE. It is the views of the minority on the pending joint resolution.

The VICE PRESIDENT. Without objection, the views of the minority will be printed in the usual form and also in the RECORD.

The views of the minority, submitted by Mr. POMERENE, are as follows:

It is with the deepest regret that we find ourselves unable to agree with the majority.

We concur wholeheartedly in the desire of the country for peace at the earliest practicable moment, and we shall be glad to join with the majority in any measure looking to that end, provided it is formed along lines which are sound both from a domestic and an international viewpoint.

Our belief is that the method provided in the pending resolution will prove a disappointment to its friends and is fraught with untold difficulties.

Broadly speaking, the resolution is composed of three parts: First, it repeals the joint resolutions declaring a state of war to exist between the United States and the Imperial German Government and the United States and the Imperial and Royal Austro-Hungarian Government; and

It recites the "said state of war is hereby declared at an end."

Second. The pending resolution provides also that all property of these enemy Governments or their successors and their nationals now in the possession or under the control of the United States, or its representatives, shall be retained by the United States, and no disposition thereof made except by special act of Congress.

(A) Until such time as these Governments by treaty with the United States duly ratified shall make suitable provision for the satisfaction of all claims of all persons owing permanent allegiance to the United States who have suffered directly or indirectly through the enemy Governments, or their agents, since the several declarations of war.

(B) And until provisions shall be made by treaty granting to all persons owing permanent allegiance to the United States most-favored-nation treatment in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights.

(C) And until they shall confirm to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America.

(D) Until they shall waive any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States of America and Germany to the contrary notwithstanding.

Third. The resolution purports to reserve to the United States and its nationals all the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it or its nationals are or may become entitled by the treaty of Versailles, although it has not been ratified by the United States, under the several armistices, or their extensions, or modifications, or which under the treaty of Versailles have been stipulated for its benefit or the benefit of its nationals with the same force and effect as if the said treaty of Versailles had been ratified by the United States.

We submit that this is an attempt by act of Congress to usurp the treaty-making power of the President and the Senate. A similar resolution was passed by the Congress and vetoed by the President during the last session of the Sixty-sixth Congress. The excuse given for its enactment at that time was the failure of the President and the Senate to agree as to the terms of the ratification of the Versailles treaty. That same excuse does not exist now. The President and the majority of the Senate are in party accord.

This is the first attempt in the history of our country to circumvent the treaty-making power.

Congress is given the power to declare war, to raise and support armies, to provide and maintain a Navy, to make rules for the government and regulation of land and naval forces, to call out the militia, and to provide for the organizing and disciplining of the militia, and to make all laws necessary and proper to carry into execution the foregoing powers.

The President is the Commander in Chief of the Army and the Navy. Under the Articles of Confederation the Congress was given "the sole and exclusive right and power of determining on peace and war." Not so under the Constitution. Nowhere does it vest the peace-making power in the Congress, and we think it was purposely omitted by the constitutional fathers. An examination of the debates in the constitutional convention shows that in the early draft of the Constitution Congress was given the power "to make war." During the discussion it was said that the power to "make war" included the power to "wage war," and it was thought unwise to place the power to wage war in a body so numerous as the Congress, and so the convention substituted the words "declare war" for the words "make war." Later one of the delegates, Mr. Butler, rose and moved to add the words "and peace" after the word "war," so that the provision would read "to declare war and peace." If the Constitution had so read then there could be no question about the power of Congress to declare peace, but strange to say this amendment was unanimously defeated and the power conferred upon the Congress was simply to "declare war."

We do not mean to say that because the words "and peace" were not added after the words "to declare war" it necessarily deprives the Congress of the power to declare peace if the Constitution either expressly or impliedly otherwise provided, but we do claim that it is strong evidence it was intended not to confer this power on the Congress.

The power is conferred upon the President "by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present agree." This power is all comprehensive. There are no limitations upon it or exceptions to it. It is the usual way by which peace and commerce treaties or conventions with other powers are made, and there is no sound reason why this method should not be pursued now.

In order that we may ascertain the exact legal effect of this resolution let us examine the phrasing of the German war resolution. It does not declare war against Germany. It reads: "The state of war \* \* \* is hereby formally declared." In other words, there was war between the United States and the Imperial German Government before it was passed. Congress only declared the state of war to exist. When we repeal this resolution Congress does not thereby end the war, if war exists, it only repeals the statement or declaration that there was a state of war. And when the pending resolution recites: "the state of war is hereby declared to be at an end," if the war is not at an end, the resolution does not end it. If it is at an end, then the declaration by the Congress to that effect adds nothing to the state of peace, except in a very technical legal sense.

But the repeal of these resolutions will affect our commerce. During the war commerce with Germany and Austria-Hungary was suspended.

On July 14, 1919, the War Trade Board section of the State Department issued a license permitting communication and trade with "persons residing in Germany," subject, however, to the following special limitations and exceptions, to wit:

(1) The above-mentioned general license does not authorize the importation into the United States from Germany or elsewhere of dyes, dyestuffs, potash, drugs, or chemicals which have been produced or manufactured in Germany.

(2) The above-mentioned general license does not modify or affect in any respect present restrictions against trade and communication between the United States and Hungary, or that portion of Russia under the control of the bolshevik authorities.



(3) The above-mentioned general license does not authorize trade with respect to any property which heretofore, pursuant to the provisions of the trading with the enemy act as amended, has been reported to the Alien Property Custodian, or should have been so reported to him, or any property which heretofore, pursuant to the provisions of said act, the Alien Property Custodian has seized or has acquired to be conveyed, transferred, assigned, delivered, or paid over to him.

Exports to and imports from Germany may take place under Special Export License RAC No. 77, and General Import License PBF No. 37, as announced in W. T. B. R. 803 and W. T. B. R. 804, respectively.

These restrictions have since been modified so far as they relate to the importation of potash from Germany, and so far as they relate to trading with Hungary and Russia.

#### EFFECT OF REPEAL OF WAR RESOLUTION.

We seized property in this country and on the high seas belonging to the German Government and her nationals, including German ships which had sought refuge in our ports from the allied fleets. Our authority to do this was by virtue of this declaration of war and subsequent legislation. The seizures were made by our military, naval, and civilian forces.

Germany likewise took possession of property of the United States and its nationals then in its territory. Its navy seized our property on the high seas. Such property as it did not destroy it still has in its possession and control. By the passage of the pending resolution we are repealing the very resolutions which were the authority for our acts and under which we took possession of this property, and we are doing it without any consideration moving to us therefor.

True, the resolutions recite that we are going to keep the property we thus seized, except such as may be released by act of Congress, until a treaty shall be ratified which shall provide for the disposition of this property and the settlement of all claims which our Government or our nationals may have against the German Government growing out of this war. And then, as if to add emphasis, the resolution declares that we reserve "all the rights, powers, claims, privileges, indemnities, reparations, or advantages provided for in the Versailles treaty, to which we would be entitled if we had ratified it."

While considering the effect of the passing of the pending resolution, let us keep in mind that our treaty of 1799 with Prussia, which was revived by the treaty of 1828, expressly provides in article 23:

"If war should arise between the two contracting parties, the merchants of either country then residing in the other shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects without molestation or hindrance; and all women and children, scholars of every faculty, cultivators of the earth, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and, in general, all others whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons, nor shall their houses or goods be burnt or otherwise destroyed, nor their fields wasted by the armed force of the enemy, into whose power by the events of war they may happen to fall; but if anything is necessary to be taken from them for the use of such armed force, the same shall be paid for at a reasonable price."

And this last treaty significantly and formally declares it to be "equally beneficial to both countries" and "applicable in time of peace as well as in time of war."

We submit that the enactment of the pending resolution will result—

(1) In removing unconditionally all war restrictions with respect to our trade with Germany and Austro-Hungary, and will restore all commerce as heretofore. Of course, this is an end to be desired by Americans as well as Germans, but it will prove of infinitely more importance to Germany to get into our markets than it will for America to get into German markets. In our judgment, while we desire commercial relations, we should first determine the terms and conditions upon which we shall renew them before we let down the bars unconditionally. We owe this duty to the American people.

(2) In consideration for this unconditional repeal of the war resolutions we receive no compensating return. True, the resolution recites that we shall retain the property already seized by our forces, including ships in our ports, until all claims of indemnity by our Government or our nationals are settled by treaty, to the same extent that we could if we had ratified the Versailles treaty. But we assert that these reservations add nothing to our title or to our security. They do nothing more than serve notice upon the German Government as to what our position will be with respect to this property. Let it be borne in mind that the Versailles treaty is only binding upon those powers which have exchanged ratification, and unless we do ratify that treaty, Germany is not bound thereby to satisfy the claims of our Government or our nationals.

(3) The repeal of the war resolution will only serve to strengthen Germany's claim that the seizure by our forces of the property of Germany and of German nationals, including the ships in our ports, was unlawful and in violation of our treaties of 1799 and 1828 with Prussia, to which reference has been made.

(4) By the repeal of the resolution we leave Germany in possession of all the property belonging to the United States or to our nationals which was seized and confiscated by it on German territory or upon the high seas, without any obligation on its part to give compensation therefor.

(5) We can not by this legislation either persuade or compel Germany to reciprocate by similar legislation, and the only way known to the law to settle these questions between Germany and ourselves is either by treaty negotiations or by force of arms.

(6) Germany has shown no disposition to make settlement with any of our allies or with ourselves on an equitable basis for the damages it has wrought. Why, then, should we voluntarily repeal this resolution—the thing Germany desires above everything else—and leave all other matters to be hereafter adjusted according to Germany's own sweet will? Now, the United States Government has the advantage. The majority, as evidenced by their report, if this legislation is passed, will voluntarily surrender it and give it to Germany.

(7) We conclude, therefore, that if the administration is not willing to ratify the Versailles treaty with such reservations and upon such terms and conditions as will secure to the United States and its nationals all of the rights and privileges which are provided for them under the Versailles treaty, then we suggest that before this resolution is passed we request the President, through the State Department, to enter into communication with the German Government and negotiate a treaty by which it will agree to adjust all differences fairly to it, ourselves, and our associates and allies along the lines set out in the

pending resolution. If Germany will not enter into a treaty along these lines while the resolution declaring a state of war is in effect, it will not do so when the resolution is repealed. If Germany does enter into such a treaty, we believe it will do so more expeditiously with this war resolution on our statute books than if it is repealed. Nothing can be lost by this course. Much may be gained. In any event we will have the advantage thereby in our negotiations.

These same observations, in substance, apply to the repeal of the resolution declaring a state of war with the Imperial and Royal Austro-Hungarian Government.

G. M. HITCHCOCK.  
JOHN SHARP WILLIAMS.  
CLAUDE A. SWANSON.  
ATLEE POMERENE.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. I yield.

Mr. LODGE. I inquire if any Senator desires to continue the debate on the joint resolution declaring a state of peace to exist with Germany?

Mr. McKELLAR. I desire to speak briefly.

Mr. LODGE. Is the Senator from Tennessee willing to yield to the Senator from North Dakota?

Mr. McKELLAR. I yield.

#### ADDITIONAL JUDGE FOR NORTH DAKOTA.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (S. 78) authorizing the appointment of an additional judge for the district of North Dakota.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment in section 1, page 1, line 9, after the word "district," to insert "and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority," so as to make the section read:

That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the District Court of the United States for the judicial district of the State of North Dakota, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district, and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority.

Mr. KING. I should like to inquire of the Senator from North Dakota whether the bill provides for the appointment of an additional judge, or is the present judge incapacitated?

Mr. McCUMBER. The present judge has served more than 25 years and is unable, by reason of physical disability, to hold court. About three years will elapse before under the law he will be eligible for retirement, but he has served so faithfully that it is deemed proper to provide for the appointment of another judge. The bill provides, however, that after the present judge shall have reached the retiring age there shall be no other judge appointed in his place.

Mr. KING. Is the Senator from North Dakota sure that the language of the bill will not permit the appointment of a successor to the present judge after his retirement?

Mr. McCUMBER. I will state that the language of the bill, if passed, will not permit the appointment of a successor to the present judge.

Mr. UNDERWOOD. I should like to ask the Senator from North Dakota if there was a unanimous report from the Committee on the Judiciary in favor of the bill?

Mr. McCUMBER. There was.

The VICE PRESIDENT. The question is on agreeing to the amendment to the bill reported by the Committee on the Judiciary.

The amendment was agreed to.

Mr. LENROOT. Has the entire bill been read?

The VICE PRESIDENT. Only the first section has been read. The reading of the bill will be concluded.

The Assistant Secretary resumed and concluded the reading of the bill, as follows:

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the district of North Dakota, by the retirement, disqualification, or death of the judge senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TORAHACHI URATAKE.

Mr. LODGE. If the Senator from Tennessee will further yield, I desire to report from the Committee on Foreign Relations two bills and to ask for their immediate consideration.

Mr. McKELLAR. I yield to the Senator from Massachusetts for that purpose.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably without amendment the bill (S. 1077) to authorize the payment of \$5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which authorizes the payment, as a matter of grace and without reference to the question of liability therefor, to the Government of Japan, \$5,000 for the benefit and consolation of the family of Torahachi Uratake, a Japanese subject, killed on November 25, 1915, at Schofield Barracks, as set forth in the letter from the Acting Secretary of War dated February 19, 1916, and printed as House Document No. 785, Sixty-fourth Congress, first session.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TATSUJI SAITO.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably without amendment the bill (S. 1078) to authorize the payment of \$2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 25, 1916, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the payment, as a matter of grace and without reference to the question of liability therefor, to the Government of Japan, \$2,000, for the benefit and consolation of the family of Tatsuji Saito, a Japanese subject, killed May 25, 1916, at Camp Geronimo, Mexico, then occupied by American soldiers, as set forth in the message of the President of the United States to the Senate dated May 20, 1918.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Mr. McKELLAR. Mr. President, I shall detain the Senate for only a few minutes. I can not vote for Senate joint resolution No. 16 repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany; and before the final vote is taken I desire very briefly to give my reasons for the vote I shall cast in opposition to the pending joint resolution.

I do not think the joint resolution will be effective for any needful purpose. We are not in a state of war with Germany; we are doing business with her every day, and, while the passage of the resolution may on our records show that the war is over, I do not see that it will be effective for any other purpose, and that purpose has already been effected.

The passage of that part of the resolution which simply repeals the joint resolution by which we declared a state of war to exist with Germany will not change the situation between ourselves and Germany in the least, except, perhaps, that the representatives of Germany will be permitted to come here in person in order to carry on their machinations to evade the treaty of Versailles, instead of carrying them on indirectly, as now. That will be the only real, practical effect of that part of the joint resolution which proposes to terminate the state of war.

It may also be regarded as doubtful, Mr. President, whether the Congress has the constitutional power to pass the joint resolution. Section 8 of Article I of the Constitution gives the Congress the power "to declare war." It does not give the Congress the power to conclude peace. Under well-established rules of legal construction of the Constitution, the naming of the power to declare war would be the exclusion of the power to conclude peace. Moreover, in the 132 years of our national history Congress has never undertaken to conclude peace, although we have engaged in many wars. That power has always been exercised by the President and the Senate under the following plenary provision or authority of section 2, Article II, of the Constitution:

He—

Meaning the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

That includes treaties of peace. It is perfectly evident that peace can not be concluded without a treaty. The making of peace always involves multitudinous questions, and there must necessarily be a treaty in order to conclude a peace with a country with which we have been at war, and especially is that true in the case of the war with Germany.

That is admitted practically in the pending joint resolution, because in the very resolution that declares peace instructions are given to the President of the United States as to what the peace treaty to be negotiated shall contain, as I shall point out hereafter.

Mr. President, what is the reason for the attempt to conclude peace in this revolutionary way? Why should we go counter to the plain constitutional provision on this subject? Why should we go counter to the uniform precedents on the subject? In the last session of Congress, when feeling was high, when the majority of the Senate were unable to agree with the President of the United States, when the majority of the Senate were composed of one party and the Executive was a member of the other party, when a great political campaign was on, there might have been some excuse for attempting to conclude peace by this revolutionary method; but now, when the majority in the Senate and the President are politically of the same party, when their relations are cordial, and are likely to continue to be cordial for some time—for it will take some time for the Executive to dispense all the patronage and we know the relations between the President and the majority in Congress will remain cordial until the patronage is dispensed—now, when there is no political contest, when feeling has abated, there seems to be no earthly excuse why the President and the Senate should not conclude peace in the usual, ordinary, and constitutional way.

It is difficult for me to understand why the Republican majority in the Senate desire to take this course. Is it because they are afraid of the Republican President and are apprehensive that the President will conclude a treaty of peace that they will not be willing to ratify? Is it because they have not confidence in their distinguished Secretary of State? I should think Republican Senators would have more confidence in their leaders than to undertake to deprive them of the exercise of this power and this duty. I should think they would have more confidence in their distinguished President and in their distinguished Secretary of State; I should think they would want to continue the power of the President to conclude peace now that the President is no longer a Democrat but is a Republican.

I next come to that part of the resolution beginning on line 7, page 4, which undertakes to do things other than to repeal the joint resolution declaring a state of war to exist. That provision declares: First, that all property of the Imperial German Government or its successors and the property of all German nationals which has come into the possession of the United States by reason of the war shall be retained by the United States until a treaty shall have been entered into with Germany.

Has anybody proposed to give up this property or any part of it? Is it thought for a moment that the President will give it up without a treaty? Is it thought for a moment that it can be given up without a treaty? It can not be done except by a treaty, and two-thirds of the Senate must concur in any treaty which may be negotiated. The pending joint resolution can not affect such German property, except to the extent of advising the President in regard to the provisions of any future treaty in respect thereto.

Again, the resolution goes on to recite what the proposed treaty hereafter to be made with the German Government shall contain. A resolution of this kind does give the opinion of the Congress at this time, but it has no binding force on anyone. Whenever that treaty is made the President of the United States and the German Government will agree on what it shall contain, and then two-thirds of the Senate will either approve or disapprove, whether this part of the resolution is passed by the Congress or not. This resolution can not affect it in the remotest degree, except to express the opinion of the present Senate in regard to it.

If you gentlemen on the Republican side simply desire to instruct your own President as to what you wish to go into a treaty, that is another thing; but why put it in this resolution? It can not have any binding force. It is a mere expression of opinion. It can not bind Germany; it can not bind your President; it can not even bind the future action of this Senate. Surely, it is not proposed that we can bind Germany, who does not have to accept this resolution, who is not consulted about this resolution, who has not agreed to this resolution.

The most remarkable clause, however, in this resolution is that beginning on line 16, page 5 of the bill, which I quote:



That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof, or otherwise, or which under the treaty of Versailles have been stipulated for its benefits or for the benefit of its nationals, with the same force and effect as if the said treaty of Versailles had been ratified by the United States of America, and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

Of all the legal propositions I have ever heard put forth in this body or elsewhere, this alleged legal proposition is the most remarkable. The treaty of Versailles was concluded on June 28, 1919. It was duly ratified by the German Government and all of the allied Governments except the United States. The United States not only failed to ratify, but by affirmative vote declined to ratify this treaty. Now, the proposition submitted in this resolution that the United States can by resolution reserve every right that she wants to take advantage of in said treaty and disavow every obligation therein is to my mind not a legal proposition at all, but the ildest kind of selfish sophistry, and the only possible effect of it will be an attempt to fool the American people.

Mr. KING. Mr. President, will the Senator yield?

Mr. McKELLAR. I shall be delighted to yield.

Mr. KING. Does it not appear to the Senator to be a post-hoc proposition that in an ex parte declaration there could be a reservation of right growing out of a contract which we have repudiated?

Mr. McKELLAR. Why, of course. If the Senator from Utah and the Senator from Arkansas and myself proposed a contract in which the Senator from Utah and myself were to get large benefits or small benefits, and the Senator from Arkansas and the Senator from Utah signed it, but I declined to sign it, and then issued an advertisement saying that while I declined to sign that contract and was not a party to it and would not be a party to it and could not be induced to be a party to it, and it was unpatriotic even to think of being a party to it, yet I claimed all its benefits, would any lawyer on the face of the earth advise that I was entitled to the benefits of a contract that I had repudiated? I do not believe even a Hottentot lawyer would seriously stand for a proposition of that kind. I do not believe there is a lawyer in the world who has ever stated that a legal proposition of that kind could be effective, and I am sure no lawyer even in this body believes it is effective. Surely no lawyer has yet defended the proposition.

Mr. KING. Will the Senator permit another interruption?

Mr. McKELLAR. Certainly.

Mr. KING. We have heard a great deal about the acumen of Pennsylvania lawyers. The Senator should take that into account in making his criticisms.

Mr. McKELLAR. I do not mean to criticize any particular lawyer at all. For the moment I had overlooked that the bill had been introduced by the distinguished junior Senator from Pennsylvania. Senator Knox, of course, is known as one of the great lawyers of the country. I have the highest regard and esteem for the distinguished Senator from Pennsylvania, who introduced the joint resolution. Of course, I know he does not believe that these recited rights can be reserved legally. They were not included in this resolution for the purpose of legally reserving them, nor has Senator Knox said so.

Mr. ROBINSON. Mr. President, will the Senator yield for an inquiry?

Mr. McKELLAR. Certainly.

Mr. ROBINSON. Has the Senator discussed, or does he intend to discuss, the legal effect of an attempt to repeal a declaration of war or a declaration of the existence of a state of war after the war has ended?

Mr. McKELLAR. I have done so only by inference. Of course, the Constitution is perfectly explicit on that subject. Peace can be concluded only by a treaty.

Mr. BORAH. Where does the Constitution say that?

Mr. McKELLAR. It says it by excluding from the authority of Congress the authority to conclude peace. There is not in the powers granted to Congress a scintilla of authority to conclude peace. There is a specific power to declare war. If it had been intended by the founders of our Government to give to Congress the power and the right, by joint resolution or act or otherwise, to declare peace, it would have been the simplest thing on earth for them to have done it. But the original framers of our Constitution, knowing that business matters had to be settled when peace was to be concluded, devolved that duty upon another branch of our Government in part, and in

part upon the Senate of the United States; and that is why I say that there is no constitutional authority for so much of this joint resolution as attempts to declare peace.

In order for this Congress to legislate on any subject, we have got to put our finger upon the provisions of the Constitution authorizing it. I ask the Senator from Idaho, who has interrupted me and asked my opinion about it, to lay his finger upon the provision of the Constitution that gives Congress the right to legislate on this subject.

Mr. BORAH rose.

Mr. ROBINSON. Mr. President—

Mr. McKELLAR. The Senator from Idaho rose first.

Mr. BORAH. I will wait for the Senator from Arkansas to ask his question.

Mr. McKELLAR. Very well.

Mr. ROBINSON. Mr. President, granting that Congress has the right to declare peace—that is, to recognize its existence—what is the legal effect of repealing a joint resolution declaring war after the war has ended?

Mr. McKELLAR. The only possible effect that I can think of is that it will allow the agents of the German Government to come over here without being arrested, and to carry on their negotiations and machinations to prevent the carrying out of the provisions of the treaty of Versailles. That is the only one I can think of just now.

I now yield to the Senator from Idaho.

Mr. BORAH. Then, if the Senator is correct that it has that effect, the Senator must concede that he was in error a few minutes ago when he said that Congress had nothing to do with it, and that the resolution would be wholly ineffective.

Mr. McKELLAR. It would have this effect only: I made one exception to the statement, and the only exception that could probably be made, when I said that the German ambassador probably would not be arrested. The matter would have to go before the courts. If somebody were to sue out a warrant against the new German ambassador who comes over here, on the ground that he was an enemy of this Republic, it would raise the question as to whether Congress had the right to pass this joint resolution; but I do not know whether anybody would feel inclined to do that or not. People would probably feel that he was justified in coming if the joint resolution should pass, and we would find the new German ambassador over here in a few days, too. Just the moment that this joint resolution is passed we will find the biggest German agency over here and the biggest German propaganda going on over here that we have ever known to prevent the carrying out of the peace of Versailles.

Mr. ROBINSON. Mr. President—

Mr. McKELLAR. I yield to the Senator from Arkansas.

Mr. ROBINSON. I presume, technically speaking, that Congress can repeal any act or resolution that it has passed—

Mr. McKELLAR. If the Senator will permit me, ordinarily that would be so, except that under the Constitution Congress has the specific right to declare war. It is not given the express right to conclude peace; but the President and the Senate, two-thirds of the Senate agreeing to it, are given the specific right to conclude peace, because treaties include peace treaties as well as all other treaties.

That is my position. It is perfectly clear. I may be a stickler for the Constitution, it has not many friends, but I took an oath to support it, and I feel that I ought to do so.

Mr. ROBINSON. Will the Senator yield to me further?

Mr. McKELLAR. I yield.

Mr. ROBINSON. While, as I started to say, Congress ordinarily can repeal any measure that it has passed, and while it is also true that sometimes Congress repeals a law for the reason that the necessity for the law has passed, the repeal of a statute or a resolution also sometimes implies that the passage of it was an error or wrong. It is undoubtedly a remarkable and unprecedented proceeding for the Congress, after it has declared war and sent millions of American sons into foreign battles and expended billions of dollars in the prosecution of that war, to repeal the joint resolution by which it declared the existence of a state of war, and if there is something in the situation that makes that proceeding important to the interests of the United States, the sponsors for the joint resolution, who are great lawyers, ought to give the reasons that underlie this most extraordinary proceeding, unheard of in the history of the world. Is it intended, by this declaration repealing the joint resolution declaring a state of war, to confess that we were wrong when we entered that war or recognized its existence?

What is the legal effect of repealing the act under which thousands of American soldiers went to battle and to death, and thousands more went to irreparable injury, and under

which billions of dollars were expended? What is the legal effect of repealing that act after the war has closed? What is the purpose of it?

Mr. McKELLAR. Mr. President, I largely agree with all that the distinguished Senator from Arkansas has said. I do not know what the purpose of the resolution is. Possibly it is because a man by the name of Woodrow Wilson, who happened to be President for eight years, recommended the passage of it on April 6, 1917. I know of no other reason. A good many men dislike him, and they think they ought to get it out of the way; but, in furtherance of what the Senator from Arkansas has said, I call attention to the fact that we have been in a number of wars. We were in the War of 1812. We were in the Mexican War of 1845 to 1847. We were in the Civil War, though, of course, it did not take any treaty to settle that. But we were in the Spanish-American War, and there never was a repeal of the resolution declaring war. The resolutions declaring war against those countries are still on our statute books. But the various wars were concluded by treaties of peace, under the terms of the Constitution, just as this war ought to be ended by a treaty of peace under the terms of the Constitution. To my mind, it is indefensible for one branch of the Government to invade the province of another branch of the Government, contrary to the express provisions of our Constitution, and attempt to effect peace. It is admittedly a failure on its very face, because this resolution admits that it is powerless to bring about a treaty of peace, but all it does, in substance, is to recommend that the President of the United States, when he does conclude peace, shall carry out the wishes of the Senate and the House of Representatives of the United States.

Mr. FLETCHER. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I yield to the Senator.

Mr. FLETCHER. I will interrupt the Senator only very briefly, to ask him if, in his study of this matter, he has been able to determine any way whereby the matters mentioned in this resolution can be adjusted between the nations involved other than by a treaty? Is there any other way to carry out the purposes set forth in the resolution except by a treaty?

Mr. McKELLAR. The resolution itself shows on its face that there is no way to carry out the purposes of the resolution except by treaty. It is a confession on its face that it is wholly inoperative to produce the results desired.

Mr. FLETCHER. Having reached that point, the next point which suggests itself is that the complete, the full, the exclusive power to negotiate treaties is vested in the Executive, and Congress can not direct what the Executive shall do with reference to any treaty.

Mr. McKELLAR. Of course, that is so elementary that it seems to me a wayfaring man, though he may be blind, can see it.

Mr. FLETCHER. Then, if I may suggest a further thought to the Senator, and ask his view about it, it follows that what we will do here, if this resolution is passed, will be merely to recommend to the President something with regard to the treaty or agreement which he is subsequently to make.

Mr. McKELLAR. Yes; that is all in the world there is to this resolution.

Mr. FLETCHER. But to compel the President to do anything of that sort is clearly beyond the power and authority of the Congress.

Mr. McKELLAR. Absolutely.

Mr. FLETCHER. So that to set out in this resolution matters and things which we say must be contained in a treaty hereafter to be made is exceeding any authority or power on the part of Congress and trespassing upon the exclusive jurisdiction and authority of the Executive.

Mr. McKELLAR. The only excuse for it I can see is under the general right of the American public to petition those who rule over them. I believe that privilege is given not only to the Senate of the United States but to every citizen. We have the right of petition, and this can only be considered in the light of a petition to the President to include these various things in the treaty when he comes to negotiate that treaty, and he may do it or may not do it, just as he desires, and nothing we may say can be other than persuasive to him.

Mr. LENROOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. I yield.

Mr. LENROOT. I would like to ask the Senator if it is his position that unless we enter into a treaty of peace with Germany, the United States must continue in a status of war with Germany forever?

Mr. McKELLAR. Not at all. We are not in a status of war now. I want to be perfectly frank with the Senator. He may have a different view about it. I think just at this time, when Germany is engaged in every machination known to the ingenuity of man to evade the provisions of the Versailles treaty, it would be very well for us to keep her legal representatives out for a short while longer. If she is able to accomplish as much as she has accomplished in these United States since the war has been over, if she is able to acquire that sympathetic hearing and interest she has been able to acquire, without diplomatic representatives, I fear what she would be able to do if she had diplomatic representatives here.

Mr. LENROOT. If we are not in a status of war with Germany, then we are at peace with Germany. Is that the Senator's position?

Mr. McKELLAR. We are in a status of peace as a matter of fact, and I do not believe that the opinion expressed in this resolution would change that legal status. In other words, I do not believe that the legal status can be changed, in effect, until there is a treaty of peace signed by the two countries under the provisions of the Constitution.

Mr. LENROOT. If we are in a state of peace now, then the Senator will admit that this resolution will do no harm.

Mr. McKELLAR. I want to address myself to that in just a few moments. The distinguished and splendid Senator from Rhode Island [Mr. COLT] made that statement while the Senator from Nebraska [Mr. HITCHCOCK] was speaking to-day—that at least this resolution can do no harm. I will reach that in just a moment and will undertake to address myself to that proposition.

All the rest of this, except the declaration repealing the war resolution, is nothing in the world but surplusage; it does not bind Germany, it does not bind any of the Allies, it does not bind any Government which signed the treaty of Versailles. It can not affect our international rights in the slightest. The most that can be said of it, if it is passed and signed, is that it is an expression of an opinion by a majority of the present Members of the Senate and the House, and of the President. It can only be justified on the ground that we desire to serve notice on all nations of the world that while we have declined to enter into the Versailles treaty, we propose to take anything we want under the terms of that treaty without signing it. In other words, this resolution is the boast of a bully, and nothing else. It is that, pure and simple.

To the plain, wayfaring man, it looks like a statement of this proposition: "No; we are not going to sign your treaty, but we propose to look it over, and whatever of the spoils of war we think the United States can get out of it, we are simply going to take by force."

That is the meaning of this resolution. If that is not what it means, then it has no meaning, because it can not bind anybody. It can not bind Germany. It can not bind England. It can not bind France. It can not bind even this country, because treaties can not be concluded, or even advised, under our Constitution, by joint resolution of the two Houses, even though they are signed by the President. The Constitution specifically states how treaties can be concluded, and unless our Republican friends have abolished the Constitution, treaties can only be made under its terms.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield.

Mr. CUMMINS. I am interested only in trying to preserve a little of the Constitution.

Mr. McKELLAR. I am glad to hear that the Senator is on that side.

Mr. CUMMINS. I am listening for information, for the purpose of making up my mind how I ought to vote on this very interesting question. The Senator from Tennessee has discussed the legal phase of it very ably, and I would like to have him answer one question, and I ask it purely for information.

Mr. McKELLAR. I do not know that I can answer it, but I will do my best. If I can not, I will frankly tell the Senator that I can not.

Mr. CUMMINS. Suppose that on the 1st of January, 1918, while the war in Europe was in progress, the Congress of the United States had passed a resolution repealing the resolution of April, 1917; that is, suppose it had passed a resolution repealing the resolution which declared that a state of war existed between the United States and Germany. Could the President thereafter have lawfully used the troops of the United States and the Navy of the United States in making war against Germany?



Mr. McKELLAR. The Senator has asked a question very difficult to answer. I do not know that I am competent to pass on it. I can say this, that as a practical matter, if that had been done in January, 1918, as I recall the condition of public sentiment in this country at that time, the Senate and the House would have probably been mobbed, and such a thing can hardly be believed as possible. It would have had the effect of producing bedlam in this country. It is unthinkable that in the midst of a great war such as we had entered upon, under the conditions existing, Congress would have ever done anything of the kind. Nothing but a lawsuit and the determination of that question by the Supreme Court of the United States would ever have settled the question proposed by the Senator, and indeed I might say to the Senator that as to the power of Congress by resolution to conclude peace, that is of the same nature as the question he put, and nothing but a decision of the Supreme Court will determine it, and that has never been passed on by our Supreme Court, so far as I have been able to find. I have examined the authorities, not with the greatest care, but with such care as I have been able to give it in the short time I have had, and I can not find where the Supreme Court has ever had that question before it. The question or questions the Senator has just submitted, of course, would only be practical in the event Congress should undertake to do a thing of that sort, and after it had done it, if there had been enough of our Government left for the question to have been raised, then it would have gone to the Supreme Court, and I do not think anyone could have told absolutely how it would have decided it.

I call the Senator's attention to the beginning of my remarks, in which I said that it was doubtful as to whether the Congress had the right to conclude peace by resolution. I did not say it was certain. In my judgment it is of such great doubt that in view of our legal history, in view of the fact that for 132 years under our Constitution the power of the Congress to conclude peace by resolution, if it has it, has never been exercised, it does seem to me that there is no excuse now, when every branch of the Government is in the hands of one political party, when there is no schism in that party, when they are all working together harmoniously, when the Executive and the Senate and the House are all working together harmoniously, for adopting such a revolutionary method of concluding peace, rather than follow the plain, beaten track of the precedents and our Constitution.

Mr. CUMMINS. Mr. President, I am not arguing the merits of the resolution, but I have been very much concerned about the position taken by Senators upon the other side with regard to the power of Congress under the Constitution, and I have been somewhat astonished to hear it asserted with so much positiveness that Congress could not lawfully repeal the resolution which was passed in April, 1917. The Senator from Tennessee knows that if Congress had failed to make the appropriations which were necessary to carry on the war, the war, so far as America was concerned, would have come to an end.

Mr. McKELLAR. Undoubtedly.

Mr. CUMMINS. I have never doubted, I did not know there was a doubt anywhere, that Congress could, by appropriate action, establish a status of peace.

Answering the question I put to the Senator from Tennessee, I have no doubt that if the resolution of April, 1917, had been repealed by Congress while the war was in actual progress, a President as Commander in Chief who continued to use the Army and the Navy of his country in prosecuting a war which did not, so far as we are concerned, exist, would have been subject to impeachment.

Mr. McKELLAR. The Senator may be entirely correct about that. I am not prepared to say. However, here is what occurs to me about a war resolution. It is a writ that the President is directed to serve. When we declared war the President was directed to take our Army and Navy and wage that war, which he did successfully. Now, when we have done that successfully, when the writ has been fully executed, to my mind it is what we lawyers used to call *functus officio*; that is, it has performed its office, and there is nothing more in it and it is not subject to further action on the part of the Congress. As the colored man would say, it is out of date.

Again, I can not bring myself to agree to the joint resolution, because in substance and in effect it constitutes a desertion of our allies in the late war. It is a desertion of them at a critical moment in their negotiations with the enemy. It is a desertion of them virtually while they are on the firing line. It is known in all the world that on next Sunday it is proposed by France and England that they will invade Germany in order to enforce the provisions of the Versailles treaty unless the terms of the Versailles treaty are complied with before then, and

just at this moment, two days before this invasion is likely to take place, the Government of the United States is passing a resolution withdrawing our Army from German soil.

My friend the Senator from Rhode Island [Mr. COIT] and my friend the Senator from Wisconsin [Mr. LENROOT] have asked what harm will it do. I reply are we willing to put our Nation in the attitude of deserting our allies in the Great War? That is the harm that it will do. It is just at a critical moment. If Germany had been engineering this matter she could not have selected a more propitious moment for the passage of this joint resolution than to-morrow, when it is scheduled to be passed by the Republican majority. If she had been working since the armistice to arrange just when this joint resolution should be passed so as to bring her the greatest benefit, she could not have selected a more propitious day than to-morrow; and to my friends who have asked what harm the resolution will do I say it means the desertion of our allies in the crucial moment of their controversy with Germany.

What can our allies think, what can France especially think, other than that we are deserting her in her hour of supremest need? It is known by all men that Germany has been for months trying to evade the effect of the Versailles treaty. Aye, indeed, more than that, she has been using every endeavor known to the ingenuity of man to get the United States to help her evade the provisions of the Versailles treaty, and I regret to say that indirectly, at least, by the exchange of innumerable notes, this Government, since the 4th of March, has in effect given aid and comfort to the Germans in their effort to evade the provisions of the Versailles treaty.

Mr. President, it was popular among Republicans some years ago to talk about the number of notes President Wilson wrote, but President Wilson was a tyro at note writing in comparison with the writer of the innumerable notes that have recently been exchanged by this administration with the German evaders. I have great confidence in Secretary Hughes. I think he is a man of great ability. I think he is doing the best he can, but unfortunately it looks as if he is being obliged to sail his diplomatic ship in the turbulent sea between the Scylla of the Republican President on the one side and the Charybdis of the Republican Senate on the other. Or, may be, it is that he is obliged to give attention to the millions of German citizens who voted for his party last fall, while attempting at the same time to carry out a truly American policy. I greatly regret that our Republican friends are not willing to take the bridle off of Mr. Secretary Hughes and give him full power to go ahead and conclude a treaty of peace with Germany and with our allies in the truly constitutional way. I have great confidence that if this resolution was abandoned and that Mr. Hughes were given the right, either to formulate a new treaty with Germany and our allies, or if in his judgment it were better to accept the Versailles treaty with reservations, that either course would be infinitely preferable to the passage of the resolution with instructions to the Republican administration as to a future treaty with Germany.

In speaking of Mr. Secretary Hughes's notes, I do not mean in the slightest to criticize him for those notes. He is doing his whole duty as he sees it, and so far as I have been able to observe, except his dickerings with Germany, his notes have been timely and to the point. My only purpose in referring to them was to recall the foolish criticism of Mr. Wilson's splendid notes in his able conduct of our foreign affairs, so often criticized by many of our Republican friends.

Mr. President, if we pass this resolution, it will be giving to Germany the greatest moral comfort and support in her controversy with the Allies. It will make her position infinitely stronger in that controversy. It will, in substance and effect, be giving Germany the benefit of our moral support in her fight with the Allies.

Mr. President, it is time for the Allies to take stern measures with Germany. It is amazing that they should have treated with Germany in reference to these provisions of the Versailles treaty to the extent they have already done. It is safe to say that they never would have treated with Germany in this way but for the interposition of the United States. For months Germany has been attempting to heckle, bargain, postpone, and delay a settlement. In other words, Germany is undertaking at this late hour, virtually to dictate the terms of peace, and the United States is in effect aiding and abetting her in these negotiations. It is time to call a halt to this kind of proceeding. The Allies should take prompt steps on May 1 to force Germany to carry out the terms of the treaty, if she should fail to do so, whether some in the United States approve of their course or not. If the Allies want to get anything out of Germany at all, they had better not equivocate any longer. They have got the power now to go ahead. They had better exercise

that power. Germany brought this war on. She has accepted the responsibility for bringing it on in her solemn treaty of peace, and the world expects her to pay to the limit of her ability. I believe she is able to pay what she agreed to pay, and what has been imposed, and I for one American sincerely hope that our Government will not write any more notes about this matter, that our Government will not further attempt to meddle or mediate in the matter, but that she will permit our allies to go ahead and require a payment of the reparations that Germany agreed to make. I again express the hope that if that part of the reparations due on May 1 is not paid that France and England will promptly send their armies into Germany for the purpose of forcing the payment. I greatly regret that the attitude of our Government is such that the 15,000 American boys now in Germany may not be permitted to take part in forcing the payment. I can not but feel that it is a betrayal of our agreement with the Allies not to see them through in this matter. I can not but feel that it is a base betrayal of American interests for us not to see that Germany meets the requirements of the Versailles treaty.

Mr. President, Germany's proposal to the Allies, submitted to the United States, that she, under certain conditions, would assume the Allies' obligations to the United States is an impudent but shrewd attempt at diplomacy. It ought not to deceive any one. It does not deceive any one. Surely no American would for a moment consider substituting Germany as a creditor for the allied creditors we now have. Germany is not sincere in this proposal. She could not carry it out if it was agreed to. She would not attempt to carry it out.

I do not believe there is a Senator in this body who would vote to substitute one for the other. It would not be three weeks before she would be conspiring just as she is now to evade that obligation.

It is indeed surprising that our Government would even pass such a proposal to the Allies. I regret exceedingly that it has seen fit to do so. It is time to call a halt to these Machiavellian proposals. Of course, I know this proposition finds no favor with our present Government, which seems to lean toward Germany in all these negotiations—though I hope it does not—which negotiations ought never to have taken place, but I sincerely hope that even if we do desert our allies by passing this resolution, that the Allies themselves will promptly take Germany in hand next week and require her to pay all that she agreed to pay.

Mr. President, I shall not vote for the joint resolution. Having these views it would violate my conscience; it would violate every semblance of feeling that I have as to fair and square dealing. It would violate every duty that we owe those with whom we allied ourselves in the war voluntarily, and I for one am not ashamed of what we did. I for one would not give our enemy in the war, I would not give that country, whose soldiers destroyed over 100,000 American lives and millions of American property, one scintilla of comfort or aid such as is proposed by the joint resolution.

Mr. McCORMICK. Will the Senator from Tennessee answer one question?

Mr. McKELLAR. If I can. I do not know that I can answer it. The Senator may be like the distinguished Senator from Iowa [Mr. CUMMINS] a while ago. He might ask me such a "stumper" that I could not answer it.

Mr. McCORMICK. Will the Senator say what he thinks is the sum that Germany can and ought to pay?

Mr. McKELLAR. I have not the slightest doubt but that has been examined into by the reparations commission that was instituted for that purpose. They have gone into all the facts and they have made their report. I think they know more about it than I do or any other Senator in this body, and I am willing to take their report.

It is not our fight. It is something we ought not to meddle with. You gentleman talked all last year about our making alliances with Europe. If we continue this meddling, we will make alliances a thousand times worse than the League of Nations or any other alliance that has ever been proposed. We are now meddling every day with European affairs. If we are going to quit meddling, let us quit meddling all along. If we are going to quit meddling with my good friend JIM REED's League of Nations, against which he so often speaks, then let us quit meddling with all the rest of these alliances and fights in Europe. Surely, do not let us meddle on the side of Germany.

Mr. McCORMICK. It was not because I urged that our Government meddle in Europe, but because the Senator regretted that our troops could not go into the Ruhr that I asked if he had in mind the sum they ought to go there to collect.

Mr. JONES of New Mexico. Mr. President—

Mr. McKELLAR. Just a moment. I take pleasure in answering that question. The amount which Germany was to pay has been fixed by the reparations commission, to which commission Germany agreed in the treaty. She agreed to it beforehand. She is bound by it in honor, just as France is bound by it in honor, and I regret that we are not honorably bound in the same way. I would be delighted to see our soldiers go in and see that the provisions of that treaty are carried out, in protection of France and our other allies, and in punishment of Germany for the losses of life and property inflicted upon us.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. McKELLAR. I yield.

Mr. LODGE. The Senator, I know, is very minutely familiar with the Versailles treaty, but where was the amount of reparations fixed?

Mr. McKELLAR. It was fixed by the commission that was formed in compliance with the terms of that treaty.

Mr. LODGE. Was it fixed by the commission?

Mr. McKELLAR. As I understood, it was.

Mr. LODGE. The Senator means since the Versailles treaty?

Mr. McKELLAR. Since the Versailles treaty.

Mr. LODGE. That it was fixed by the reparations commission?

Mr. McKELLAR. That is my understanding.

Mr. LODGE. I infer from what is going on now that it was fixed by Mr. Lloyd-George and Mr. Briand.

Mr. McKELLAR. Of course, I have no private information. My information is the same public information that every man who reads the newspapers has. If the Senator from Massachusetts, having superior—

Mr. LODGE. I am quoting the newspaper reports. I have not any other information.

Mr. McKELLAR. I did not know but the Senator from Massachusetts, being the chairman of the Foreign Relations Committee, might have inside information.

Mr. LODGE. I have none at all.

Mr. McCORMICK. I had not quite finished my colloquy with the Senator from Tennessee. I wonder if the Senator believes that the sum proposed by the prime ministers, let us say, should be accepted by Germany as its liability in advance of the determination of the Silesian question, and thinks our troops ought to go in there and enforce the collection.

Mr. McKELLAR. Did not Germany agree to accept the report of the reparations commission?

Mr. McCORMICK. No; but that is neither here nor there. The sum suggested is proposed by the prime ministers and not by the reparations commission.

Mr. McKELLAR. But the German Government which then existed signed the treaty which authorized the reparations commission to go into the matter and to fix the reparations. Germany is absolutely bound by that agreement. If the Senator from Illinois and I have a dispute and we leave it to the Senator from New Mexico [Mr. JONES] to fix the amount that I should pay the Senator or that the Senator should pay me, and the Senator from New Mexico fixes the amount at \$5,000, under the existing circumstances of the case, as the amount that I should pay him, and if I undertook to "welch" on that agreement which we submitted to the Senator from New Mexico and to say that the award was too much after having agreed to accept it, I should have done what I consider an immoral thing. I know the Senator from Illinois looks at it exactly that way in personal affairs. I would not for a moment think of going back on an agreement after having consented to refer a dispute to an arbiter; which is what Germany did. Germany ought not to be permitted to go back on her agreement. I regret that any person under the American flag, having been associated with the Allies, should take the position that Germany had a right to go back on it.

Mr. JONES of New Mexico. Mr. President, I was a little fearful that the Senator from Tennessee might take his seat before he—

Mr. McKELLAR. Will the Senator permit me to continue?

Mr. JONES of New Mexico. Certainly.

Mr. McKELLAR. I rose to speak merely for 10 minutes, and it would not have taken me 10 minutes to say what I wanted to say if I had not so often been interrupted. I apologize to the Senate for having taken so much time, but it is really not my fault.

Mr. JONES of New Mexico. To the contrary, I am not complaining about the Senator from Tennessee having occupied the floor unduly. I was simply remarking that I was afraid the Senator was going to take his seat at this particular juncture.



ture and perhaps deprive the Senate of a good deal of valuable information.

The Senator from Illinois [Mr. McCORMICK] has propounded an interrogatory to the Senator from Tennessee [Mr. McKELLAR] as to whether he knew the amount of indemnity which Germany should pay. I have not any doubt that the Senator from Illinois has a definite notion on that subject, and I should like to suggest that the Senator from Tennessee elicit that information from the Senator from Illinois.

Mr. McKELLAR. I yield to the Senator from New Mexico, in order that he may ask the question.

Mr. JONES of New Mexico. If there is any definite information upon that subject, I think the Senate ought to have the benefit of it.

Mr. McKELLAR. I entirely agree with the Senator from New Mexico. The Senator from Illinois has had the unusual advantage of traveling over Europe comparatively recently and has had the most intimate personal relations with the leaders of various European Governments. I think I noticed that, as a member of the Foreign Relations Committee, he was entertained by the ministers of practically all of the various Governments in Europe. It was further stated—and I know it is true—that he studied this question most carefully and painstakingly while he was abroad and has given it much thought and consideration. I, for one, am glad the Senator from New Mexico has raised the question, and I should like very much indeed to have the opinion of the distinguished Senator from Illinois as to what he thinks Germany ought to pay. The reparations commission, I believe, require the payment of about 132,000,000,000 gold marks. If that is not correct, I should like to have the opinion of the Senator from Illinois as to the matter.

Mr. McCORMICK. Mr. President, it is precisely because the Senator from Illinois does not believe that American troops should go into the Rhine region that he, for one, has not undertaken to sustain either the justice or the injustice of the payment by Germany of the sum proposed at the Paris conference; but, beyond that, I venture to say that until the Silesian question can be settled, and until the German Government can know whether or not Silesia is to be German or Polish, whether the taxes derived from industries and exports therefrom are to be credited to Polish or German account, the capital sum of the reparations can not finally be fixed.

Mr. McKELLAR. The Senator from Illinois has not answered the question of the distinguished Senator from New Mexico.

Mr. McCORMICK. Yes; he has. The Senator from Illinois has stated that he does not know. I will add, furthermore, that the members of the reparations commission and of the supreme council can not honestly fix the maximum sum of reparations until the issue of the Silesian plebiscite has been determined.

Mr. JONES of New Mexico. I may add, Mr. President, that I was induced to make the observation which I did in order to try to elicit the desired information, largely from the fact that the Committee on Foreign Relations has filed no report along with this joint resolution. We do not know just why the committee think that the resolution should be adopted at this time; and it occurred to me that that might be one of the reasons that they were of the opinion that our allies were asking too much from Germany. Apparently, however, that is not the reason, and we are still left in the air upon the subject. We do not as yet know the reason why the resolution is presented here and why we are expected to adopt it, or what good will be accomplished by it. We have heard nothing from the other side of the Chamber on the subject; and I should like to inquire if the Senator from Tennessee has heard anybody in respect to the resolution give any reason for its adoption or any good purpose to be served by it.

Mr. McKELLAR. The best reason I have heard—and I may say that I have not heard all of the arguments; I did not hear my friend the Senator from Missouri [Mr. REED], except in part, and that part had reference to Russia and other countries and not to the question now under consideration—was when the Senator from Rhode Island [Mr. COLT] said he thought that the resolution ought to be passed because, as I understood him, it would not do any harm.

Mr. JONES of New Mexico. Mr. President—

Mr. McKELLAR. If the Senator from New Mexico will excuse me for a moment, his suggestion recalls to my mind an inquiry which I should like to make of the Senator from Illinois. He is a member of the Committee on Foreign Relations, and I have no doubt knows concerning the matter about which I desire to ask him. He brought up this question: He says that

the righteousness of the demand on the part of the Allies that Germany should pay about 54,000,000,000 gold marks, as fixed by the reparations commission, depends upon whether or not Germany is given Silesia. Do I understand the Senator from Illinois to take the position that he is opposed to the Allies carrying out the provisions of the treaty with regard to reparations and the report of the reparations commission until the Silesian question is determined; and is that a reason for this resolution?

Mr. McCORMICK. Mr. President, the resolution is, of course, before the Senate because a treaty negotiated by a President who, parenthetically, stated that he wanted to have no lawyers to have anything to do with it, was rejected—

Mr. McKELLAR. I am glad to have that confirmation of my idea of its purpose. I thought it was because President Wilson advised a different course.

Mr. McCORMICK. Because the people of the United States are determined to resume normal relations, commercial and diplomatic, with the former enemy States which now are in diplomatic and commercial relations with the other allied States; because the negotiation of treaties with the former enemy States must needs take weeks and possibly months. That is the reason why the resolution is before the Senate.

Mr. McKELLAR. Does the question whether Silesia is allotted to Germany or to Poland influence the Senator in voting in favor of this resolution?

Mr. McCORMICK. The Senator has not voted on the floor.

Mr. McKELLAR. I am referring to the action of the committee. The Senator is a member of the committee which reported the resolution.

Mr. McCORMICK. The Senator from Illinois voted for a resolution similar to the pending one at the last session, and would blithely have voted for it at the last session long before he did.

Mr. McKELLAR. I am sure the Senator must have voted blindly, but I did not know he would say so.

Mr. McCORMICK. I said "blithely." Is the word unknown in Tennessee?

Mr. McKELLAR. Oh, no. I beg the Senator's pardon. I thought he said "blindly," and I was prepared to admit it.

Mr. KING. Mr. President, will the Senator yield to me for a suggestion?

Mr. McKELLAR. I yield to the Senator.

Mr. KING. I desire to suggest to the Senator from Tennessee that the reasons assigned by Germany for her failure to meet the demands of the reparations commission and the controversy now existing between the allied nations and Germany do not revolve around the question of the ownership of Silesia, by plebiscite or otherwise. Germany has indicated that she is willing to pay about five or six billion dollars less than the amount fixed by the allied Governments under and in pursuance of the treaty, but she has stated that, in addition to that, she desires the abrogation of all of the sanctions and conditions in the treaty which would compel a performance by her of the terms of the treaty. Moreover, she has indicated that there should be no time fixed within which the payment shall be made. The question of Silesia and its ultimate ownership, whether it shall go to Poland or to Germany, has not been urged by Germany as an excuse or pretext for failing to live up to the terms of the reparations. If the Senator from Illinois, in anything which he has said, meant to imply that the Silesian question was the cause of the present acute controversy, I beg leave to state that the Senator is in error.

Mr. McKELLAR. I am greatly indebted to the Senator from Utah for his contribution to the discussion. I have the same view exactly that he has about the matter. I have never noticed in the public prints that the question of Silesia or the retention of Silesia or Germany's failure to retain it affected the question of reparations, but knowing that the Senator from Illinois is a member of the Foreign Relations Committee, and feeling that, perhaps, he has unusual sources of information, I did not know but what that with other reasons might have been urged before the committee as a reason why the pending joint resolution should be adopted. If it had been, I think it would have been important for the Senate to know it. The Foreign Relations Committee seems to be a little wary about submitting any facts in connection with the joint resolution. Their report merely says that they recommend a change in the language and that it is "as follows." Then they set out the change, but they do not even italicize, showing what language has been changed and what has not. So it takes a rather careful examination of the joint resolution to see wherein it has been changed, and no Senator on the other side has seen fit to give us any reason for any change or any reason for the passage of the joint resolution.

The only reason that has been suggested is that it might not do any harm. The Senator from Arkansas [Mr. ROBINSON] pointed out that it might do very great harm. For the life of me, I can not understand how a man would want to vote in favor of this remarkably remarkable resolution.

Mr. JONES of New Mexico. Mr. President, a few moments ago—

Mr. McKELLAR. Mr. President, I desire to yield the floor, if I may.

Mr. JONES of New Mexico. I should like to make just one remark in connection with the Senator's speech.

A few moments ago I inquired of the Senator if he had heard anyone who was responsible for this joint resolution give any reason for its passage. The Senator from Tennessee then referred to some remarks made by the Senator from Missouri [Mr. REED]. May I inquire if the Senator from Tennessee believes that the majority in this body are following the lead of the Senator from Missouri in this matter and that he is their spokesman in this matter?

Mr. McKELLAR. I would not want to pass on that. I think he is the only Senator who has made a speech on that side of the question. I do not know just what the arrangement is. I think the Senator from Missouri is very heartily in favor of it, and I judge from the rather negative report of the Committee on Foreign Relations that that committee is in favor of it also. [Mr. FRANCE addressed the Senate. See Appendix.]

Mr. LODGE. Mr. President—

Mr. ASHURST. Will the Senator from Massachusetts yield to me to make a request?

Mr. LODGE. Certainly.

SENATOR WILLIAM S. KENYON.

Mr. ASHURST. Mr. President, I ask unanimous consent to include in the Record a short editorial from the Searchlight commendatory of our colleague, the junior Senator from Iowa [Mr. KENYON], chairman of the Committee on Education and Labor.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

[From the Searchlight, Washington, D. C., March, 1921.]

"Senator KENYON was a busy man during the Sixty-sixth Congress, particularly in the last session. Moreover, his work was unusually courageous and constructive. He was chairman of the Committee on Education and Labor, out of which came several important measures for which he fought with persistent ability, notably the bill for vocational rehabilitation of ex-soldiers.

"He bore the brunt of the long investigation into the campaign expenditures of presidential candidates.

"He participated prominently in the coal inquiry.

"The interests of agriculture were always emphasized in his legislative work.

"It was only typical of his characteristic attitude when he opposed the free-seeds graft after all others had given up the struggle.

"But standing out above all else is his battle with the packers, in which he unselfishly yielded to others the chief credit for legislation on that subject.

"KENYON becomes more independent, uncompromising, and active the longer he remains in the Senate."

ADDRESS BY SENATOR RANDELL.

Mr. BROUSSARD. Mr. President, my colleague [Mr. RANDELL] delivered an address before the constitutional convention of the State of Louisiana, in session at Baton Rouge, April 7, 1921. I should like to have it inserted in the Record by unanimous consent.

The VICE PRESIDENT. Without objection, it will be inserted in the Record.

The address is as follows:

RELATIONS OF THE STATE TO THE NATION.

[Address of United States Senator JOSEPH E. RANDELL before the constitutional convention of Louisiana in session at Baton Rouge, La., April 7, 1921.]

Senator RANDELL said:

"The relationship that the State should bear to the Nation, the proper sphere in which each of these two entities should move, how they should dovetail, and what systems of checks and balances should apply between them lies at the basis of our whole scheme of government. In a form of polity such as ours, with our traditional sense of the advantages of human freedom and individual liberty, and our intolerance of anything that smacks of autocracy and absolute centralized power, the part that the American State plays in our political make-up is all important under a Government dedicated primarily to the happiness and welfare of a great people.

"The Nation as represented by Congress, the lawmaking branch of the Government, has certain powers, which are clearly defined and limited in the Constitution, whereas the States have all powers not denied to them by the Constitution or granted by it to Congress. The people were so afraid Congress might attempt to usurp some of the rights of the sovereign States that 10 amendments to the Constitution were adopted shortly after its ratification which are known as the American Bill of Rights. One of these amendments provides that 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.'

"In studying the rights, obligations, and relations of the Federal and State Governments to each other this tenth amendment should be borne in mind, and with the principle therein enunciated clearly before us there should be no serious trouble to understand the apparently complex situation. Congress can do only what the Constitution says it can, but what is meant by some of its provisions and just how far they can be stretched to meet real or fancied emergencies has been the subject of much controversy, and the Supreme Court has often been obliged to decide the disputes.

"I shall not attempt to enumerate the various powers of Congress, but for the purpose of this discussion will merely refer to the authority granted it to lay and collect taxes, including a tax on incomes, in order to provide for the general welfare, to coin money, to establish post offices and post roads, and to regulate commerce among the several States.

"The Supreme Court has declared again and again—

"That the maintenance of the State governments is as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government. The Constitution in all its provisions looks to an indestructible union of indestructible States. (Texas v. White, 7 Wall., 725.)

"In a speech in New York in 1907 Justice Harlan said:

"Let us then move in the old paths, where is the good way marked out by the fathers. Let us not give our approval to any interpretation of the Constitution that will either cripple the Nation's authority or prostrate the Nation at the feet of the States, or that will deprive the States of their just powers. Let us hold fast to the broad and liberal and yet safe rules of constitutional construction approved by the fathers and established by judicial decisions. In so doing we will sustain our dual system, under which the Government of the Union is forbidden to exercise any power not granted to it expressly or by necessary implication, while the States will not be hindered or fettered in the exercise of powers that have not been surrendered by them to the Union and are not inconsistent with the Constitution.

"In the child labor law case recently held to be unconstitutional (247 U. S., 251) the court said:

"The maintenance of the authority of the States over matters purely local is as essential to the preservation of our institutions as is the conservation of the supremacy of the Federal powers in all matters entrusted to the Nation by the Federal Constitution.

"In interpreting the Constitution it must never be forgotten that the Nation is made up of States to which are entrusted the powers of local government. And to them and to the people the powers not expressly delegated to the National Government are reserved. (Lane County v. Oregon, 7 Wall., 71.)

"The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has never been surrendered to the General Government.

"The late decision of the Supreme Court upholding the constitutionality of the eighteenth (prohibition) amendment to the Constitution (253 U. S., 350) indicates that the court is disposed to follow the lead of the people and to sustain the validity of any change in our national organic law regularly made in manner and form provided by the Constitution. In this respect I believe the court is right; but this fact should warn all patriotic Americans who believe in a Federal system composed of an 'indestructible union of indestructible States' not to look to the Supreme Court for the protection of their rights as States but to rely upon their own vigilance to secure the defeat of any proposed law or constitutional amendment which infringes on these rights. The authority to make unlimited amendments to the Constitution clearly exists, and the comparative ease and rapidity with which the last four amendments were adopted show how necessary it is for the people, who are the fountainhead of all authority, to scan with jealous eyes and suspicious minds any encroachments on their personal liberties either by statutory law or further amendment. These last four amendments provided (a) for a tax on incomes, (b) for direct election of Senators by the people, (c) for prohibition of alcoholic liquors as a beverage, and (d) for woman's suffrage.

"The most serious aspect of the situation is that the doctrine of the rule of the majority no longer necessarily controls upon the question of the amendment of the Federal Constitution. States representing a minority of the citizenship of the Nation can amend the Constitution in any respect they see fit, and no matter how oppressive or how prejudicial may be any such amendment in its operation or enforcement, a very small minority can prevent its repeal, although the best interest of



the country at large may then demand such repeal. We have created so many new States that now, under the figures disclosed by the recent census, a group of 36 States could be combined which would represent only 45 per cent of the population, whilst 13 States would together have a total population of only 5 per cent of the whole. Stated in other words, the Constitution of the United States can now be amended by the votes of State legislatures representing a minority of the people of the United States, and State legislatures representing only 5 per cent of the people can prevent any repeal or change.

"It is of paramount importance that the American people should clearly realize the fact that there is, perhaps, no State function that can not be taken over by the Federal Government under the power to amend the Federal Constitution, and that the only protection lies in patriotic and vigilant public opinion. If these questions involving the perpetuity of local self-government and the right of each State to regulate affairs within its own borders be submitted to the people with adequate explanation and full discussion of the merits, the verdict will probably be a wise and just one. (Guthrie.)

"In this connection, gentlemen of the convention, and with the utmost respect for your superior wisdom, permit me to suggest that in framing a new constitution for our beloved State, you safeguard in every possible way the sacred rights and liberties of our people, and that all really important questions be referred for decision directly to the electorate whenever same is practical. I fear there has been too great a tendency on the part of the voters in recent years to shift responsibility, or, in current slang, to pass the buck to their legislators and public servants. This is not proper, and does not lead to good citizenship. The right of suffrage is one of the highest privileges and most sacred duties of the citizen, and should be exercised on all occasions in person and not by proxy.

"No Government, municipal, State, or National, should, as a general proposition, do anything which the private citizen—the individual—can do just as well. All Governments are composed of their citizens, and it is their duty to aid the citizen in every possible way—not to usurp his functions or interfere with his efforts. Where the business directly and intimately affects the public, such as that of common carriers, railroads, steamboats, ships, express companies, telegraphs, telephones, etc., it is wise to regulate them to a certain extent by law, but not best for the Government to own or to operate them, though possibly an exception should be made in the case of such general utilities as water and light, which in many of the smaller cities and towns are owned and operated by the municipality. We had a sad illustration in the recent Government operation of the Nation's railways, and I fear it will be years before these great necessities of modern civilization are restored to their former condition of prosperity and usefulness.

"Government can properly assist in developing public utilities, as was done for the railroads in the early days, by means of land grants, tax exemptions, bonuses, etc., and as the National Government is doing now with highways, for which hundreds of millions are being contributed to aid the States in road construction. This is being done with the view of perfecting national highway systems connecting every locality of each State with every other section thereof, and each State with all the others, thereby bringing all the people into closer relationship with one another, and promoting interstate commerce and post roads in the most efficient manner.

"Transportation by road, rail, water, and air seems manifestly a national rather than a State problem, for all these agencies are bound as a practical question to ignore State lines to a very great extent. As the regulation of commerce between the several States is specifically delegated to Congress, and as it is almost impossible to regulate interstate commerce without some control over that which is intrastate, owing to the intimate connection between the two, and the fact that the earnings of common carriers are based on their total business, Congress is assuming more and more control over all transportation. The Interstate Commerce Commission only a short while ago decided to fix rates on the intrastate business of railroads on the theory that as Congress had guaranteed certain earnings to these roads it was necessary to regulate all their rates and not merely those on interstate transactions.

"All of us come into daily and intimate touch with the National Government through the post offices, and many of us have close contact with it occasionally through internal-revenue collectors and the Federal courts. Our national banking system, which supplies financial facilities to about one-half our citizens, the other being furnished by State and private bankers, is under continuous supervision and frequent inspection from Washington.

"The Department of Agriculture furnishes many illustrations of national cooperation with the States. Most of you are so familiar with the splendid work of this great department and its friendly assistance to local communities in a hundred ways, notably through the Bureau of Farm Demonstration, that I shall mention only two to show how it has worked in some matters beyond the effective reach of individual States. Some years ago, when the farms of North Dakota were being rapidly impoverished for lack of a fertilizer, like clover and cowpeas, which are used so advantageously in more southern regions, Secretary Wilson succeeded in finding in far-off Siberia a variety of clover which saved the situation. At another time his agents located in the semiarid regions of the Old World the durum wheat, requiring very little moisture, and introduced it with marked success in our dry Western States, thereby greatly extending the Nation's wheat area.

"In quarantine matters the Government can operate far more effectively than the State. After the great yellow fever epidemic of 1905 a big convention of southerners was held in Chattanooga to urge the passage of a national quarantine law, and the sentiment in favor thereof was unanimous. Formerly Louisiana maintained a strict quarantine at the mouth of the Mississippi, but had no control over Gulfport, Mobile, and Pensacola on the east, and Port Arthur and Galveston on the west, all of which ports were in just as close connection with the yellow fever ports of the Tropics as New Orleans. A traveler infected with yellow fever germs could go from his ship at any of these ports directly to a railroad and be in Louisiana within a few hours, no matter how strict the quarantine was at the mouth of the Mississippi. The same was true as to Asiatic cholera, bubonic plague, and other diseases of plant and animal life which may enter the Nation's seaports at any moment and spread rapidly through many States. It is practically impossible for the States alone to maintain effective quarantine against the introduction and spread of disease to plant, vegetable, animal, and human life not only from foreign countries but among themselves. How could individual States without cooperation from their sisters successfully fight such diseases as the boll weevil and the cane borer in plants, Texas fever, hog cholera, the foot-and-mouth disease, and so forth, in animals, the yellow fever and bubonic plague in human beings? As a matter of simple necessity the National Government must control quarantine not only with foreign countries but also between the various States.

"Government control of the flood waters of the Mississippi is of intense interest to all valley States, especially Louisiana, which has within its borders about one-half of the 28,000 square miles of land subject to overflow from our great river. For many years the Nation has contributed largely toward flood protection, and the flood control act of 1917 definitely commits it to pay two-thirds the cost of levees, with the understanding that all bank revetment work, much of which is essential to the maintenance of the levees as well as to channel improvement, is to be paid for by the Nation. This is entirely proper, and the Government, without violating the Constitution in the slightest degree, could take entire charge of the levees at its own expense, as advocated in the Weber resolution to that effect recently adopted by you.

"In this connection a very live question before our people to-day is the flood situation on the Black, the lower Red, and the Atchafalaya Rivers. I shall not attempt to discuss it, as time does not permit, but beg to urge your very careful study of this knotty problem. I believe all of you will agree that the Nation should contribute very largely toward the immediate closing of the 7-mile gap in the Mississippi levee system from Point Breeze, in Concordia Parish, to the mouth of Red River. The whole question is now being reexamined by the Mississippi River Commission, with a view to advising Congress further in regard to it.

"Under the Federal forest reserve act 192,000,000 acres of public lands have been withdrawn from settlement in recent years. States like Colorado, Oregon, and Washington consider this withdrawal a gross injustice and serious infringement on their right to use these lands for the benefit of their citizens. In Colorado 15,000,000 acres are reserved for forest and 10,000,000 acres of coal lands. In Oregon 16,000,000 and in Washington more than 10,000,000 have been withdrawn. In old States like Louisiana timber and mineral lands belong to private citizens, and are not used by the Federal Government to raise revenue by lease, sale of timber, or otherwise, whereas in the Western States these vast areas of reserved lands are a source of profit to the Nation. The shoe would pinch hard in Louisiana if our timber and mineral lands, which have been highly developed and yield such a large revenue to the State, had been withdrawn from settlement by the Nation and used for its own profit. This

is a matter which does not affect our people, and I mention it merely to show some of the problems of our sister States.

"Some recent instances broadening the Federal authority by legislation are as follows:

"(a) The so-called white slave act to suppress traffic in women for immoral purposes. This comes under the commerce clause, and interstate traffic in women is treated as commerce the same as lottery tickets, and it is prohibited, because it 'shocks the moral sense of the Nation.'

"(b) Migratory and insectivorous birds which do not remain permanently in any State or territory for 12 months are under the control of the Federal Government. I imagine some of the sportsmen of Louisiana have found this law to be in conflict with State laws on the same subject and, of course, the Federal law is supreme. Doubtless migratory fish in interstate waters like the Mississippi will some day be placed under national control. It could be done just as logically and reasonably as to control birds.

"(c) The child labor law preventing interstate shipment of the product of a quarry or mine in which a child under 16 had labored, or the product of any factory or establishment where children under 14 had labored, was a big step toward Federalism. The Supreme Court declared the act unconstitutional by a close vote of 5 to 4; but many persons think it will be so amended as to overcome the court's objections; and the reasons which have induced Congress to enact many beneficent and humane laws certainly obtain with special force in the matter of child labor.

"(d) Another law heartily favored by all southern Congressmen and Democrats, including President Wilson, is the Federal farm loan act, providing for loans to farmers on land mortgages—a truly great piece of legislation and most beneficial to agriculture, but certainly very paternalistic. If the Federal Government lends money to farmers to assist in buying and improving homes in the country, why not to city dwellers to build and improve their homes; and, going a step further, if loans are made on real estate security, why not on personal property, stocks, bonds, etc.? But if a halt be not called, we shall soon see the National Government engaged in every kind of business. Moreover, in regard to the farm loan act, which I approve strongly, we must not forget that its loans are exempted from taxation and its securities thereby rendered far more attractive than those of private loan companies organized under State laws.

"(e) The act establishing an 8-hour workday for employees on all railroads except those less than 100 miles long, or street or urban roads operated by electricity, was a vast extension of Federal power, and no one can tell where it will lead. I doubt if this act would have passed but for the combination of the Great War in Europe at that time—September, 1916—then affecting this country so seriously, the threatened strike of 2,000,000 railroad employees unless their demand for an 8-hour day were granted, and a presidential election only 60 days distant. This law certainly steps on the toes of the States pretty hard and in many ways.

"(f) The Federal reserve act, which gives practical control of the currency system of the Nation—its finances—to a reserve board of seven men appointed by the President, practically removable by him, and more or less under his influence, places colossal power in the Federal Government, a power which is intended for good and doubtless will be so used in the main, but nevertheless a power which in the hands of an ambitious autocrat or corrupt board can be used to work great evil. Democrats are very proud of this law enacted by them under the Wilson régime and often refer to it as the greatest piece of constructive legislation of the last half century. Some economists believe that the policy of quick deflation adopted and brought about by this Federal Reserve Board during the last 16 months and the high interest rates charged by it on loans to member banks is largely responsible for the enormous drop in values of the Nation's assets, amounting to over \$20,000,000,000. Others assert that but for this reserve bank system and its wise administration of finances we would now be passing through the most disastrous financial panic in our history. It is difficult to decide between these two schools of thought, because we have no lamp of history to guide us, and never has the business world been confronted with graver problems than since the close of the war, two years and five months ago.

"Many other relations between State and Nation might be mentioned, but these suffice to show that the Nation is rapidly growing in power and importance as compared with the States. Amendments to the Constitution increasing Federal power have been frequent, but who ever heard of one in the interest of the States? I have never believed in the extreme

doctrine of State rights taught by many Democrats of the old school. My leaning has been toward a relatively strong central government, without giving up what I deem essential to the States, but the pace of Federal encroachment which we have been traveling for 20 years has been too fast for me. I wish to see it slowed up, and a movement backward rather than forward if further amendment to the Constitution be proposed or further legislation similar to some of that I have just described. In this connection I wish to read an excerpt from Holcombe on 'State government in the United States,' 1916:

"Notwithstanding the recent invasions of State sovereignty by the Federal Government, the American State is still a powerful and extensive instrument of government. It has the power to establish and maintain its own form of government within its own borders, except that the form chosen must be republican; it regulates suffrage, subject to the condition that no citizen may be denied the right to vote on account of race, color, or previous condition of servitude; it has power to levy and collect taxes, except upon interstate and foreign commerce, and upon instrumentalities of the Federal Government; its police power is practically unlimited, and includes the whole field of legislation to preserve peace within the State, to protect the public health and morals, and to promote the common welfare when threatened by the unrestrained activity of persons within the borders of the respective States, subject to the condition that no person be deprived of life, liberty, or property without due process of law, nor be denied the equal protection of the laws; it has extensive power to deal with the vast subjects of religion, education, and the supply of public utilities, with the exception of a few public services, such as the post office, delegated to the Federal Government; power to create corporations and trusts; to deal with the whole subject of private law, including the power to regulate the vital institutions of modern civilization, such as the family and the institution of private property. The bare enumeration of these vast powers shows the transcendent importance in the American Federal system of the government of the State.

"Citizens of the Republic, with just pride in its wonderful position as the richest and most powerful country on earth, should not forget allegiance to their own States and look to the National Father at Washington for everything, as many seem disposed to do. They should stand firm in their own shoes, self-reliant, depending on their own resources wherever possible, and not relying solely on their locality, their State, or their Nation, but upon their individual efforts.

"Louisiana has always borne her full part in the Nation's struggles of war and peace, and will continue to do so. It is your proud privilege, gentlemen of the convention, to prepare a new charter for our State during the coming years, and her citizens believe your great task will be performed with patriotic wisdom. God grant that complete success may reward your efforts."

#### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Mr. LODGE. Mr. President, I do not take the floor for the purpose of making a speech, as it is now very late, but tomorrow when we assemble after the recess I shall ask the indulgence of the Senate to address it very briefly on the pending joint resolution.

#### HOUSE BILL REFERRED.

The bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

#### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

#### RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Saturday, April 30, 1921, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate April 29 (legislative day of April 28), 1921.*

#### ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Montgomery Schuyler, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to Salvador.



# APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES. GENERAL OFFICERS.

*To be brigadier generals with rank from April 27, 1921.*

Col. William Ruthven Smith, Coast Artillery Corps.  
Col. Dwight Edward Aultman, Field Artillery.  
Col. Johnson Hagood, Coast Artillery Corps.  
Col. Dennis Edward Nolan, Infantry.  
Col. William Durward Connor, Corps of Engineers.  
Col. Fox Conner, Field Artillery.

*To be brigadier generals with rank from April 28, 1921.*

Col. Preston Brown, Infantry.  
Col. Malin Craig, Cavalry.

*To be brigadier generals with rank from April 29, 1921.*

Col. Henry Davis Todd, jr., Coast Artillery Corps.  
Col. Albert Jesse Bowley, Field Artillery.

*To be brigadier generals with rank from April 30, 1921.*

Col. William Hartshorne Johnston, Infantry.  
Col. Robert Alexander, Infantry.

## PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

*To be first lieutenant.*

Second Lieut. Everett Roscoe Stevens, Quartermaster Corps, with rank from July 1, 1920.

### MEDICAL CORPS.

*To be captains.*

First Lieut. Charles Fremont Snell, Medical Corps, from April 18, 1921.  
First Lieut. Jaime Julian Figueras, Medical Corps, from April 20, 1921.

## REAPPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES.

### COAST ARTILLERY CORPS.

John Lawrence Hanley, late first lieutenant, Coast Artillery Corps, to be first lieutenant with rank from April 23, 1921.

## APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES.

### QUARTERMASTER CORPS.

Capt. George Anthony Horkan, Infantry, with rank from July 1, 1920.

### ORDNANCE DEPARTMENT.

Capt. Edward Elliott MacMorland, Coast Artillery Corps, with rank from October 12, 1917.

## APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

*To be major general.*

William Gray Price, jr., late brigadier general, United States Army, from April 7, 1921.

*To be brigadier general.*

Avery Delano Andrews, late brigadier general, United States Army, from April 7, 1921.

### UNITED STATES NAVY.

#### MARINE CORPS.

*To be first lieutenant, from June 4, 1920.*

Thomas E. Kendrick.

*To be second lieutenants, from June 4, 1920.*

Karl F. Umlor.

Thomas McK. Schuler.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 29 (legislative day of April 28), 1921.*

### MEMBER OF FEDERAL RESERVE BOARD.

John R. Mitchell, of St. Paul, Minn., to be member of the Federal Reserve Board for a term of 10 years.

### SURVEYORS OF CUSTOMS.

Thomas W. Whittle, of New York, N. Y., to be surveyor of customs in customs collection district No. 10.

### APPRAISER OF MERCHANDISE.

Frederick J. H. Kracke, of Brooklyn, N. Y., to be appraiser of merchandise in customs collection district No. 10.

## HOUSE OF REPRESENTATIVES.

FRIDAY, April 29, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed heavenly Father, come to us through the gateway of our daily need, making our weakness strength and our ignorance wisdom. Look upon all of our dwelling places and make them homes in which every room is lighted up with love that pledges for evermore the sanctity of our firesides. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

### APPOINTMENT TO BOARD OF VISITORS TO ANNAPOLIS.

The SPEAKER. Mr. SCOTT of Michigan has resigned from the Board of Visitors to Annapolis, and the Chair appoints Mr. NEWTON of Minnesota in his place.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; and

S. 407. An act granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

### ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bill:

H. R. 2185. An act providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office.

### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; to the Committee on Interstate and Foreign Commerce.

### ARMY APPROPRIATIONS.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, with Mr. THLSEN in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. When the committee rose on yesterday the gentleman from Kansas [Mr. ANTHONY] had 27 minutes remaining and the gentleman from Mississippi [Mr. Sisson] 54 minutes.

Mr. Sisson. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. COCKRAN]. [Applause.]

Mr. BLANTON. Mr. Chairman, I think we should have a quorum. At least, I think those in the corridor should be called in. So I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count.

The Chair proceeded to count.

Mr. BLANTON. I withdraw the demand for a count.

Mr. COCKRAN. Mr. Chairman, I think I can not begin better than by promising the committee that after this appearance the House can count on a brilliant flash of silence from me. I do not intend to burden it frequently hereafter with my views. But the matter of disarmament is of such tremendous importance, and so many misapprehensions appear to prevail about some things which I said about it myself, that I

deem it important to set the matter, as we on this side understand it, clearly before the committee.

Now, I do hope that I will not be misunderstood in saying this. I am exceedingly anxious, and my anxiety in this respect is shared, I believe, by all my political friends, that all discussion on this question of transcendent importance will proceed on non-partisan lines; that whatever we do in this House with respect to it will be done with unanimity—not by a majority, however large. So much was said here yesterday and the day before—principally by the gentleman from Michigan [Mr. KELLEY] and by the leader of the House [Mr. MONDELL]—in favor of disarmament that I do not think an expression of hope for unanimous action can be dismissed as an iridescent dream. We yesterday passed a measure that establishes our Navy as the greatest in the world—not immediately, but within a very few years. I myself regret that this unequivocal declaration of our purpose to establish the greatest Navy in the world was not accompanied by an equally strong declaration of our readiness to abandon all armaments by land and sea just as soon as other countries were willing to discharge their military establishments. But the House having decided to pass that bill without any declaration of our eagerness to disarm, and this measure now before us being of a kindred character, though presenting not the same opportunity for such a declaration, I think it well to urge the pressing capital importance of making our purpose clear to all the world before the close of this session.

Yesterday we were in a position to say that by establishing the greatest Navy in the world we were doing it with the hope of abolishing all naval and all military establishments. The Army projected by this measure will not be the greatest Army in the world, and therefore a declaration of readiness on our part to disband it will not have the same weight. And yet the importance of such a declaration is so pressing that I venture to place some suggestions looking in that direction before the committee in the hope that some way or other the majority will exercise its power and perform its duty of giving formal expression to the eager desire for disarmament which, judging by all the speeches here on this floor, is absolutely unanimous, or practically so, in this body and in the country.

My own idea of the form which that expression should assume has been put in a joint resolution introduced a few days ago. I will read it to the committee, because what I have to say now will be merely in explanation and in support of its declarations. It reads:

House joint resolution 84.

Declaring the policy of the United States with respect to disarmament. Whereas the appalling conditions now afflicting one-half the population of Europe, unless speedily ended in the countries they are ravaging, must soon overtake and overwhelm all countries, including our own; and Whereas these calamities originally produced by the World War instead of diminishing have grown steadily worse since actual conflict has ended, deaths caused by famine and pestilence since the armistice exceeding fivefold the number of men who fell in battle, while populations of great cities have shrunk to small fractions of their former numbers, the survivors being plunged in varied miseries so abject that they can not be conceived, because the human mind can not bear to contemplate them; and Whereas men and women everywhere throughout the world, believing they see the twin specters of starvation and disease approaching inexorably, are moved to unrest, by reason of which the whole industrial fabric from London to Tokyo is rocking on its foundations and in imminent peril of entire collapse; and Whereas these dreadful conditions can be remedied only by immediate and active employment of all human hands and of all capital available in the world in productive industry, none diverted to war or preparations for war; and Whereas, although it is now clear that the world must disarm, and disarm immediately, or the world must perish inevitably, that neither partial disarmament nor future disarmament can suffice to avert disaster, yet all great nations are still maintaining huge military establishments, much larger armaments are projected, and these preparations for war are proving wasteful and oppressive as war itself, delaying, if not absolutely preventing, restoration of normal, economic conditions; and Whereas the whole course of events preceding the late war shows conclusively that when any country establishes great armaments no other country can remain safely unarmed; and Whereas it has pleased Almighty God for the first time in the history of mankind so to order events that the nation capable of maintaining the greatest armaments abhors armaments and desires only that all nations join it in driving armaments of every description from the face of the earth; and Whereas the recent experience of the world shows conclusively that in a world where nations are armed to the teeth peace never can be secure: Now, therefore, be it

*Resolved, etc.,* That while military establishments are maintained by any other countries this country will outarm any of them and all of them.

SEC. 2. That the President of the United States is hereby authorized to reduce the Army and Navy as rapidly as other countries reduce their military establishments and to continue the reduction until no greater armed forces remain in the world than what may be necessary for maintenance of domestic peace in each country.

SEC. 3. That this Nation, by every means in its power, will gladly aid countries devastated or injured by war to restore their economic

efficiency so long as these countries employ all their own industrial resources in production.

SEC. 4. That this country will refuse to extend aid to every country that diverts any of its own treasure to war or preparations for war, but will require from it payment of all debts due.

SEC. 5. That though, so long as great military forces are established anywhere, we will meet them resolutely by greater forces on land or sea, we will join gladly in disbanding all military establishments; we will be first in disarmament if other nations let us; first in armament if they make us.

Now, Mr. Chairman, I have no hope that this particular form of declaration will be adopted, though I do think it expresses the sentiment which has dominated every speech delivered on this floor, with perhaps a single exception.

Some gentlemen here have probably read extensive newspaper comments to the effect that we are occupying a rather illogical position in voting for the largest armament and at the same time declaring in favor of disarmament. Now, I should state here—in the way of confession rather than of criticism—that many persons who strongly opposed any armament a few years ago have had their eyes opened by recent events. Many times on this floor in former years I opposed attempts to establish either a large Army or a large Navy, believing, as I did then, that war was impossible, unthinkable, in this age of ours.

I have been a student to some extent of Spencer and the other mid-Victorian philosophers, and in their philosophy it is taught that there is one purpose which always governs man, no matter what his condition, race, or creed, whether he be civilized or savage, white or black, and that is improvement of his own condition. I think it was Spencer who said that the savage pursuing a wild beast in order to secure his flesh for food and his hide for covering was obeying exactly the same impulse as a civilized man guiding a plow through a cultivated field or a merchant from his counting house directing the production and distribution of commodities. Each was seeking to improve his own condition. They differed only in the ways by which they sought to effect it.

Mr. MADDEN. Will the gentleman tell us something about Einstein?

Mr. COCKRAN. I will not undertake to say anything about relativity to the gentleman, because perhaps he might let it govern him some time. [Applause.] I would not undertake to spoil his picturesqueness by making him reasonable. [Laughter.]

Mr. Chairman, it was felt by men like myself who accepted the Spencerian philosophy that, experience having shown war to be unprofitable—to the victors as well as the vanquished—it would never again be waged in this world.

Perhaps my friend from Illinois will remember that I frequently opposed proposals to increase the Naval Establishment on that ground. But I have lived to see that at a time when peace was more necessary to human prosperity and even to preservation of human existence than at any other period in the history of the world, when great populations centered in big cities depended for subsistence upon commodities which could be supplied only in conditions of peace, all the great nations of the Old World sprang at each other's throats. Property which men had spent their days in producing and their nights in planning was scattered to the winds and destroyed—three-fifths of it—in a mad fury of hate and violence.

Now, the lesson which this teaches is that man's sense of his own interest is not sufficient to govern his conduct. It is now clear that men will scatter their possessions and die in the face of their dearest interests when their passions are aroused. The world that we must deal with now is the world which actual experience has disclosed to us, not the world which philosophers have conceived and attempted to describe.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. COCKRAN. Yes.

Mr. MILLS. If this resolution were adopted, and the United States brought economic pressure and military threats to bear on other nations to compel their disarmament under immediate present conditions, how, if the disarmament of France, for instance, were compelled, could she to-day enforce the terms of the existing treaty of peace?

Mr. COCKRAN. Mr. Chairman, I am not speaking of immediate disarmament. I am speaking of ultimate disarmament and disarmament as soon as it can be accomplished. The attitude which this country should assume toward the measures adopted by France to enforce the terms of peace is a matter resting with the Executive, who in dealing with it will undoubtedly be governed by a sense of the American conscience behind him.

I am speaking now of a policy to govern the permanent condition of the world, not any temporary condition that might require exceptional treatment.



I should regard disarmament of the world as a necessary step to save France from dissolution. I know no stronger argument for disarmament than the present disturbed conditions abroad. There is no more chance of France drawing money from Germany by force than of my drawing it by magic from this floor. That is a consequence of the change wrought in the extent and nature of property by recent economic developments. The day is gone by when wealth consisted mainly of if not entirely of jewels, furniture, and ornaments. It has now assumed a form which is practically intangible and therefore impossible to seize.

Suppose a great army should to-day succeed in capturing the city of New York, the richest city in the world, and suppose its commander attempted to seize everything of value within its limits. How much do you suppose he would get? How much do you suppose the strongest power conceivable exercised on the richest city in the world could exact and carry away? Just the furniture in the houses. That is all.

Discussing this possibility with the president of one of the largest banks in this country, a bank that has assets of something like \$350,000,000, I asked him how much of that wealth was in such form that an enemy could seize it if he could get possession of that bank and set about plundering it. He said the bank had about a million dollars of gold, and he thought he could answer for the ingenuity and vigor of his assistants to see that not much of that fund would be within reach of an enemy by the time he had gained access to the city and reached the corner of Nassau and Pine Streets.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. COCKRAN. Certainly.

Mr. HILL. Was the banker taking into account the conditions that prevailed in 1916 and 1917?

Mr. COCKRAN. No; I am not concerned with his mental operation at that time. I am speaking now of what this banker said in 1918 about the possible consequences to his institution in the capture of the city by an invading foe. The gentleman, if he will wait a moment, will see that his question is anticipated. The rest of that \$350,000,000, outside the \$1,000,000 in gold, would be found to consist of little pieces of paper, attesting the interest which the bank had in our industrial enterprises, stocks and bonds of railways, notes of manufacturers and merchants, and various corporations. The moment the enemy seized those pieces of paper their value would be destroyed. The peculiar feature of property under modern economic conditions is that it can very easily be destroyed but can not be seized by force.

Mr. MADDEN. Suppose the enemy should descend on the city of New York and compel the people of New York and of the surrounding country to work for the enemy. Would they not be able to get enough to make more than a million dollars?

Mr. COCKRAN. If the gentleman could show me how they could be made to work he would be contributing something very valuable to this discussion. [Laughter.]

Mr. Chairman, when my friend interrupted me a few moments ago I was referring to the idea widely prevalent before the war that war being unprofitable it would never recur in the world on any extensive scale.

I ventured that remark for the purpose of showing why so many of us formerly believed the way to effect disarmament was by the example of this country prospering beyond all others without armaments of any kind. But it is shown clear that we can not any longer trust the sense of prudence or self-interest existing in men to restrain them from war and preparation for war. It remains for me to show why I believe other nations will never disarm if we remain unarmed.

Mr. FESS. Mr. Chairman, will the gentleman yield for just one question?

Mr. COCKRAN. Yes.

Mr. FESS. Are we to conclude that in case an agreement is not reached between Germany and the allied powers and the French Army moves into the Ruhr Valley, that will be entirely futile?

Mr. COCKRAN. Personally I think so; absolutely. I think it is one of the misfortunes of this situation that money reparations on a large scale can not be enforced by arms; but do not let us get off on that. It is another and a most delicate subject. Just how the French are going to treat those complications is a very delicate matter, about which I should not attempt or be allowed to express an opinion on this floor.

The declaration for disarmament which I hope to see adopted here is essentially a matter of domestic policy, although it will have a far-reaching international effect. I take it that everybody here will agree on the advisability, if not the necessity, of disarmament, except possibly the gentleman from New York [Mr. MILLS], whose question seems to indicate some doubt about

it. The overwhelming sentiment of this body being in favor of disarmament, the only remaining question now proposed to be discussed by me at this time is, first, whether universal disarmament will be promoted through establishment by this country of the strongest armament in the world; and, second, the advisability of embodying in the legislation establishing such preponderance of armament a declaration of our readiness to disarm. Both, I think, are absolutely essential. If we disarm now, we invite other countries to maintain armaments. The very purpose for which armaments are maintained will then spur every nation to enter the competition for first place in an armed world.

I endeavored to point out the other day that no country wants the second largest armament; that the second largest armament among nations is like the second best hand at poker—the source of the greatest disasters that can occur. [Laughter.]

But every country will go on arming if it thinks it can establish the greatest armament, just as every poker player will stay in the game, hoping to get the best hand. Such a declaration on our part as I suggest will proclaim to all other nations that the only place open to the strongest of them in an armed world is second place, we ourselves having elected to take first place, and no one doubts that we have the power to make the declaration effective. No country would risk bankruptcy—nay, would render bankruptcy practically inevitable—merely to establish the second strongest armament. Establishment of the greatest armament by this country, coupled with a declaration of our eager anxiety to abolish all military establishments, would be the most potent agency for disarmament that I can conceive.

Now, if in addition to that declaration this Congress should take the ground suggested by the gentleman from Michigan [Mr. KELLEY] in his speech the day before yesterday, disarmament would come just as soon as this country declared that it was necessary and advisable for it to take place. It was pointed out by the gentleman from Michigan that these nations can not possibly settle their debts to us.

I do not believe they can maintain those armaments under any conditions. But it is certain that if they discharge their obligations to us they can not maintain any such military establishments. Now, I would be in favor of every concession to them, provided that concession was utilized not to maintain armies but to stimulate industry, not to profit us but their own people, their women and children, whose conditions are embittered and whose prospects are beclouded by these ever-growing dangers of war springing from increasing armaments. [Applause.] Thank God we will never go before the world with a threat or a purpose which can work injury to anybody. But the time has come when we must do more than refrain from injury. I do hope that as a result of this war America that won it will kindle a light of hope for all the children of men, that they may escape from these crushing burdens of taxation which are making Governments engines of oppression, which are vindicating the arguments of the anarchist that Governments themselves are perpetrating on a stupendous scale the very crimes which government is organized to prevent.

To-day Governments everywhere are taking of the bread, the food, the commodities produced by the labor of men—to the enjoyment of which they are entitled—some three-fourths by taxation for the support of armaments or for the settlement of debts that have been incurred by former military enterprises. And we have here by the providence of God, for the first time in all history, a nation with the disposition and the power to establish overwhelming armaments, not to continue this mad diversion of capital from wholesome enterprises of production to desolating enterprises of destruction but to end it, not for the injury of anybody but for the benefit of all who inhabit the earth. [Applause.]

Mr. Chairman, the question remains, Why should a resolution of this kind be adopted now? Some gentleman raised the objection that disarmament must be accomplished by treaty. I do not think such a treaty would be worth the snap of one's finger. No nation which maintains a great armament will allow the size of it to be determined or affected by other nations which it must fight if war is to occur at all. Agreements and understandings would be worth a great deal. The distinguished gentleman from Wyoming [Mr. MONDELL], the leader of the House, said that treaties were still restraining influences among nations. Well, I must say his reading of history has led him to conclusions in this respect different from mine. I know of but one country that ever was restrained by a treaty, and that is this country. This country has always observed treaties with scrupulous honor. But one does not have to go back very far in the experiences of men to see one treaty after another violated and torn up. The treaty of London did not keep the

Boer republics from invasion. The treaties of Presburg and Tilsit did not keep the signers loyal to the French Empire one day after Napoleon was no longer in a condition to force observance of them. I look through all the history of the world and fail to see a single instance where a nation was prevented from pursuing what it conceived to be its own interest or welfare by the restraining obligations of a treaty except this country, and, thank God, this country never yet has violated a pledge that it has made to another nation. [Applause.]

But while a treaty to disarm would have very little value, a resolution of this character would have a tremendous effect. If disarmament is ever to bless the world, it will only be effected in the way I have endeavored to describe; by the influence of this country, by full exercise of its economic and its military power. The gentleman from Wyoming [Mr. MONDELL], I think, in the course of his address, spoke also of our potential power as a decisive influence in the council of nations. He said all the world knows that we have the means to establish the greatest armament. But the dreadful experience of the last few years has shown that potential military power is negligible. It is not the potential power lying out in the agricultural fields that are being cultivated; in factories, where men are working; in mines and in quarries, where human hands are wielding pickaxes, that other nations would consider as military strength. It is actual power in the form of guns and fortresses and ships of war and men trained to arms organized in regiments. That is the only power that counts in this modern world of ours. Why, Mr. Chairman, we declared war early in April, 1917, and I do not think we struck a blow in actual conflict until the spring of 1918. We were not in a condition to do it. Suppose, instead of our having declared war at the time when all these combatants were exhausted by years of desperate struggle, we had declared it when they were in full possession of all their resources. Would we have been allowed a year's grace to get ready? The enemy would have made it impossible for us to get ready, by the destruction he could have worked, before organization of an effective defensive army would have been possible. We must have armies organized. We must have actual military forces available for war before any other country will weigh them as really significant in international relations. When we have established such military forces, then the necessity for this resolution, I think, becomes urgent. It becomes imperative. Treaties, for the reasons already given, would not bind anybody. And no treaty is needed. Let the United States take the position declared in this joint resolution and the rest will take care of itself.

But the United States can not take this position through its President. The President of the United States can not meet these various countries and assure them he will disarm. They would naturally ask, Did he create the armament which he offers to disband? And when he replies, as he must, that the armament was created by Congress, but that Congress will ratify his promise, they will point to a very recent experience where the accredited representatives of the rest of the world assumed that the President of the United States spoke for the Nation and had a rude awakening from that impression within the last few months. [Laughter.]

But if we here declare our domestic policy to be the maintenance of the greatest army and navy in the world so long as other nations remain armed, but at the same time specifically authorize the President to reduce the Military Establishment down to the point where it will be a mere police force, just as soon as other countries are ready to take similar action with respect to their armaments, then the President in conference can speak for this country. He will be in a position to promise exercise of an authority about which there can be no dispute. But without some such resolution I do not believe the President will be in a position to exercise the full power and authority of this country on a matter so momentous.

Now, from my experience here in the last few days I am afraid that if I offer the resolution at this time it will be ruled out of order. The rules of this Committee of the Whole are a mysterious labyrinth. An excellent resolution proposed by the gentleman from Virginia, Judge MOORE, was ruled out of order, and another one to which there were objections of various kinds was ruled in perfect order. I should not undertake to affront the difficulties, delicacies, and perils of parliamentary law by offering this resolution now. More than that, I believe that it is the privilege and the duty of the majority to give expression to a sentiment which is practically unanimous. [Applause.] I myself do not want to do a single thing that would embarrass in the slightest degree the disposition of the majority to do that which practically all its Members clearly indicate to be their purpose, and to do it in such a way that the whole world will understand it. I am sure that the gentleman from Wyoming

[Mr. MONDELL], judged by his address, is in sympathy with what I say here. I am certain the great majority of Members on the Republican side are in sympathy with it, as I know all on this side are.

It is my most fervent hope that out of this discussion will come an extinction of all party differences, and that when he comes to deal with a matter so momentous as this the President will go before the world with the unanimous support of the American people expressed through a unanimous Congress, attesting again their readiness to make any sacrifice for peace and justice; to arm if necessary so that universal disarmament may be effected, and hoping fervently that the hour may soon come when all the energies of men everywhere and every dollar of capital remaining in the world will be employed in re-establishing the economic life of all nations; none of it diverted to war or preparation for war. And the disarmament key once effected, these United States will not refuse new contributions to the industrial restoration of nations sorely ravaged by the greatest war ever waged on this earth.

The gentleman from Michigan described with great force the disposition of this country to deal generously with every country willing to employ all its own resources in bringing food and shelter within reach of its people. And at the same time he voiced the opinion, shared, I think, by the great majority here—certainly shared by me—that we would show neither generosity nor forbearance to a country that diverted its own treasure from production to military preparation. I would go further than the gentleman from Michigan, I would be perfectly willing to remit altogether the debts to us by foreign nations if the result would be to effect disarmament. And it would be the best investment of money ever made on this earth. I am not sure but that it would be rather a magnificent gesture than an act of munificence. I have grave doubts whether we could collect these debts anyway. I know these countries are trying to pay what they owe. I know also that demands by us for payment and attempts on their part to comply are likely to create conditions which will seriously retard the restoration of prosperity throughout the world, and it is not open to dispute that our prosperity depends on the prosperity of the whole world. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, the very interesting speech on universal disarmament to which we have just listened probably finds an echo in the heart of every Member of the House. But after all we are dealing with practical things and not with theoretical ones. In the way of military disarmament, this country of ours has shown the world that we are ready to disarm. We have reduced our military force to a total of 175,000 enlisted men. That is a smaller army in proportion to population than the army of any other country in the world, with the exception of Colombia and Paraguay. There is not a country in Europe to-day that has reduced its army since the World War to the small number of men, in proportion to population, that we have in the Army of the United States. In Asia both Japan and China have enormously larger armies in proportion to population than we have in proportion to our population. In South America all the countries, except the two I have named, in proportion to population have larger armies than we have. And yet none of us has heard of a single effort being made in any of the other countries of the world to reduce the armies of those countries to the low number of men that we have thought necessary for maintaining peace.

Now, it is a very beautiful theory that the world wants to disarm. I am inclined to believe that there are many nations that want to disarm, but I doubt whether every nation wants to disarm. And unless every nation does disarm—every leading nation—the attempt on our part to disarm would, in my opinion, be exceedingly dangerous and probably disastrous.

War is an expensive proposition. The gentleman from New York [Mr. COCKRAN] called attention to the fact that no nation ever accomplishes any great thing for her benefit by war. With few exceptions, that has been true in the history of the world. Our own people tried to keep out of the World War and did keep out for nearly three years. Finally we were forced to enter the war. We were unprepared. The gentleman spoke of the fact that it took us a year to get ready while the Allies were holding the lines. If we had not had such a condition as that, we probably would have met with disaster rather than success.

But what was the cost of the war to this country? In 19 months of war we expended \$24,000,000,000, a staggering amount. Our taxpayers will have to bear the burden for a century to



come. Twenty-four billion dollars for 19 months of war! Why, if this country were to appropriate every year the enormous sum of \$50,000,000 for preparedness it would take 480 years to expend what the 19 months of war cost us. If we expended \$25,000,000 a year for reasonable preparation and national defense it would take 960 years to expend what the 19 months of war cost the American people. Therefore it has always been my belief that the teachings of Washington, our very first President, are as useful to-day as they always have been: "In time of peace prepare for war." [Applause.]

I shall at the proper time when we reach this bill offer a number of amendments to make the minimum strength of the Army for this coming fiscal year 175,000 men. I believe world affairs are such that this Nation ought to have at least 175,000 men for the next fiscal year. Possibly after that it will be advisable—nay, more, desirable—to reduce the number of men to possibly 150,000. We passed an Army reorganization bill in the last Congress that provided for a total enlisted force of 280,000 men in time of peace. Nobody believed that the War Department would attempt during the days of actual peace to recruit the Army to its full strength. It was the hope of the Military Affairs Committee in reporting that bill to get along with 175,000 men; in fact, it was the custom of previous administrations never to recruit up to the full number of enlisted men authorized by law. Congress repeatedly fixed the number by its appropriation. The executive department recognized the will of Congress by meeting its wishes in keeping down the recruiting so that the Army would not exceed the number provided for by the appropriation of Congress.

However, during the last year of the former administration the Secretary of War, Mr. Baker, stated that in his opinion the law made it mandatory for him to recruit up to the full number of 280,000 men. And he proceeded to do that until Congress passed a resolution instructing him no longer to continue recruitment, but to get down the force as speedily as possible to 175,000 men. But in the process of intensive enlistment which the War Department inaugurated at that time they got such a force that to-day we have approximately 232,000 men in the enlisted personnel of the Army.

Mr. SMITH. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. SMITH. The gentleman stated that, so far as he is advised, none of the civilized nations of the earth are reducing their armament. Could the gentleman advise us what some of the nations are doing—Japan, for instance—toward increasing their armament, and in the case of Japan especially her air service?

Mr. KAHN. Mr. Chairman, the best information that I have been able to get in that particular is this: Japan is to-day completing a cruiser for carrying airplanes. Our country as yet has not undertaken to construct such a cruiser. The *Hosho*, which is the Japanese cruiser, can carry 32 bombing and pursuit airplanes. Japan also has increased her air divisions from 6 to 19. She has to-day 19 air divisions, whereas she had only 6 in the war. I am reliably informed that she is purchasing the latest things in airplanes, and has officers of the air service in practically every European country purchasing the latest models and undergoing additional training.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GRIFFIN. Will the gentleman be able to inform us as to how many divisions we have?

Mr. KAHN. I am not quite sure of the number that we have to-day. Under the Army reorganization bill, as I recall, and possibly some of the older members of the committee can inform me whether I am correct or not, the total number of divisions was not specified. I believe we have 27 squadrons at present, but they are of about one-half their proper strength.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. McKENZIE. I have heard it said that the Japanese people are not apt at flying; that is, that they have not made a success of operating aircraft. Can the gentleman give us any information about that?

Mr. KAHN. Yes. I have heard it said by people in whom I have a great deal of confidence, men who have lived in Japan, who are familiar with the conditions there, that in that particular branch of the army the Japanese are somewhat deficient; that they do not manipulate the flying planes as well as we do or as well as the European flyers do. But at the same time she has indicated to the world that she realizes the significance of that branch of the service. She has largely increased her number of divisions and she is now training men, as I am informed, in practically all of the leading countries of the world.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. KAHN. For a brief question.

Mr. HICKS. It has been stated over and over again on this floor that Great Britain has practically stopped her building program for big ships. Is the gentleman aware of the fact that in the last two weeks the British Parliament has authorized a new building of four great capital ships, four dreadnaughts, and two battle cruisers?

Mr. KAHN. I have read those things, and, of course, there is no substantial effort being made in any part of the world, except here in the United States, to materially reduce the armies of the various countries by those other countries.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. KAHN. Just for a question.

Mr. HARDY of Texas. Is it not perfectly natural that the Japanese, seeing our program of 1916 undertaken, under present conditions should attempt to develop the navy and the air service?

Mr. KAHN. Oh, as a matter of fact, Japan developed a navy program just as quickly as we did. They undertook to build eight dreadnaughts and eight battle cruisers, each of which is to be over 44,000 tons burden, larger, I am told, than any of the ships we are building. The program of 1927 of Japan contemplates an enormous increase in her navy. The world is unsettled. No one is able to foretell what is going to happen. It is cheaper for us in time of peace to prepare ourselves measurably for anything that might happen than to wait, as we did in 1916, until we were drawn into the war itself early in 1917, absolutely and entirely unprepared. That is what cost the lives of our men. When we speak of the cost, we never mention human life; it is always dollars and cents—the least thing, after all, that ought to be considered in the equation. How can you ever pay for the hundred thousand young Americans who gave their lives on the battle fields and in the hospitals for their country during the war—those who gave their blood and their limbs and their health? You can not estimate those things on a dollar-and-cent basis.

Oh, some Members will say that it is absolutely necessary to reduce the Army so as to save the taxpayers from unnecessary burdens. There is no Member of this House who realizes more than I the necessity for cutting down expenses. I believe, however, the present Secretary of War is a man that can be trusted absolutely to cut expenses wherever cutting may be possible without injury to our Military Establishment. I feel that he should be given every opportunity at the beginning of his administration to work out a plan that will enable the War Department to save millions of dollars, but I do not believe it fair to him to cripple him in his efforts at the very outset of his administration in the war office.

It seems to me the facts are so palpable that no one at this time ought to want to cripple our Military Establishment. We have grave international questions which our State Department is trying to solve. We hope they will be solved with honor and credit to our Government.

We are the only altruistic nation in the world to-day. We do not demand territory nor indemnity for our participation in the World War. What we are asking from the various chancelleries of the world we feel to be absolutely right. But during the pendency of these matters and in their solution no individual can foretell what is going to happen. I for one believe we can afford to be prepared for any possible emergency. I think that the American people generally will approve the stand of this Congress if the Congress sets the minimum limit of the Army of the United States at this time at 175,000 enlisted men. [Applause.]

The CHAIRMAN (Mr. GREENE of Vermont). The time of the gentleman from California has expired.

Mr. Sisson. Mr. Chairman, I yield 14 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I intended to take up another question, but in view of the soul-stirring address of the gentleman from New York [Mr. COCKRAN] I shall talk on disarmament.

The curse of modern civilization is hypocrisy. We have a Sunday code and a week-day code. On Sundays we listen to the Sermon on the Mount; on week days we perpetrate every crime on the calendar. This is certainly true of nations. When Napoleon I started out to imitate Alexander of Macedonia he announced that his object was not to dominate the world but to bring about a higher state of civilization and to liberate all oppressed peoples. The Holy Alliance, formed to perpetuate monarchical institutions, announced as its holy purpose the maintenance of eternal peace and of good will among nations. When Napoleon the Little, Napoleon III, in order to prevent in the interest of France the unification of linguistic and racial groups, tried to separate and to keep apart the various peoples that now constitute Italy and Germany, he spoke in the name

of national independence, and proclaimed the sacred principle of nationality and of self-determination, which was made one of the slogans of the last war.

When we promise to the world disarmament and then proceed to increase our armaments, nobody will believe a word we say. The history of the United States can be safely divided into two periods, as far as armaments are concerned. The first period, up to 1898, when the Army of the United States was not larger than the police force in our cities. The next period is after 1898. In 1898 we entered unwillingly and unknowingly upon a policy of colonial acquisition. There were very few people in 1898 in this country who knew of the existence of the Philippine Islands. Suddenly they found themselves in possession of territory thousands of miles away—the weakest and most vulnerable spot in the armor of the United States.

And it is to the credit of President Wilson that he made valiant efforts to emancipate and release the Philippine Islands so that we should not have thousands of miles away a people whom we are under obligation to defend as long as they are a part of the United States. It is the colonial policies of European countries that brought about the World War. When England wanted to construct a railroad across the African continent from north to south she found that she could not construct it without the consent of the German Empire. The Bagdad scheme of Germany was nothing more than an attempt to construct by land a route which would compete with the sea route of England. It was all the time a question of securing some economic advantage by the acquisition of colonies or markets or territory, or of extending spheres of influence, or building railroads, or acquiring access to new sources of raw material. The question that presents itself to the world to-day is not how we can bring about a nobler civilization but how to bring about a more intelligent relationship between man and man. I deny that we have any nobler men than existed thousands of years ago. I deny that a single ethical conception has been added to the ethical code of the world for the last three or four thousand years or that the individual intellect to-day is greater than the individual intellect of thousands of years ago. What is the difference between the present and the past? The only difference lies in the much larger number of those who are intelligent, of those who have access to knowledge. It is all a question of knowledge; and just as it is true that physical warfare has been eliminated between individual and individual in civilized society, just so can war be eliminated between nation and nation if a knowledge of the causes of national conflicts will be the common heritage of the people—if there will be democracy in international relations; if nations will stop lying about each other. Can you pick out a history which tells the truth about its own nation? Every nation has won the most important battles, and has the greatest heroes, and has never lost a fight, and can wipe the floor with everybody else. So say its historians; so teach its schools. I wish we could establish an international commission of scientists to revise the national histories of the world [applause] and get some scientific fact.

A few days ago we had in the House the Chinese incorporation act sandwiched in between two days' discussion of the naval bill. They appeared to have no relation, but they are closely interrelated. If you want foreign markets, if you want a market in China and desire to protect the American merchant in China, you must be ready, with every sewing machine of American manufacture, every locomotive that goes there, to send your Army and Navy to support the trade of the exporter. The old method of invading a country by marching an army and taking possession of its lands has been replaced by economic penetration, and by the army and navy serving as the guards of commerce. It amused me when I heard the expression that the United States wanted a place in the sun, repeated a number of times during the last few days on this floor. Men instinctively, under the hypnotism of war psychology, repeat a phrase which was very offensive a few years ago, and was supposed to have had its origin in Prussia.

The United States wants a place in the sun, as if it has not a mighty big place in the sun to-day! Well, then the problem that presents itself so far as disarmament is concerned is this: Are we going to use the Army and the Navy to promote foreign trade; are we going to fight for the extension of American commerce in the Orient although it may involve a violent conflict? I personally do not believe that Governments will ever disarm. The only way disarmament will be accomplished will be when the men who are called upon to die at the behest of statesmen will go to jail for opposing war and will refuse to manufacture munitions of war. Statesmen will continue to preach international love, will continue invoking the name of

the Almighty, and will be preparing armaments. What does the resolution of the gentleman from New York [Mr. COCKBURN] say? We are ready to disarm as soon as the other fellows are. The other fellows say they are ready to disarm as soon as we disarm. It is a travesty upon logic. It is primarily, gentlemen, a question of what the policy of the United States is to be in its foreign relations. So far we have had no definite international policy.

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. LONDON. If you please.

Mr. MOORE of Virginia. I would like to ask the gentleman's opinion with reference to a matter he mentioned a moment ago. Has the gentleman any view as to what is the argument, the central argument, in favor of the retention of the Philippines or the influence that is exerting itself in support of the policy of this Government in retaining the Philippine Islands?

Mr. LONDON. I wish I had the time to take up the question. For the present I would say that although there are many things I can not forgive President Wilson, I retain a great deal of admiration for him, and principally because of his genuine democratic stand on the Philippine question. I think if not for the retention of the Philippine Islands we would never have become involved in the European war. We can never defend the Philippine Islands unless we have there a fleet twice as strong as that of Japan. The retention of the Philippine Islands is a misfortune to the United States. [Applause.]

Mr. SMITH. The gentleman will admit, though, that it is of great benefit to the Philippine people.

Mr. LONDON. It is, undoubtedly, and the United States may take just pride in the real progress made in the Philippines. There is not any doubt of that. But this is what every nation proclaims. Have you ever heard Great Britain admit that England had taken possession of any country except for the purpose of civilizing, elevating, and ennobling that country?

The CHAIRMAN. The time of the gentleman has expired.

Mr. Sisson. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman and gentlemen of the committee, we have heard a great deal here of late about the race in armaments, and the impression has gone abroad that the principal naval powers of the world are feverishly building up their fleets to secure supremacy of the sea. In my judgment the race exists with this country only, and I know of no fact or circumstance tending to show that any other nation is at this time making any effort along those lines.

Certainly Germany and Russia are no longer menaces. Practically the entire Russian fleet was destroyed in the war with Japan, and the terms of the armistice in November, 1918, completely eliminated Germany from the list of naval powers. France and Italy no longer make any pretensions; hence the supposed race is limited to three great powers, the United States, England, and Japan, whose present naval strength, according to the best information I can obtain, is in the order named.

So far as I know, it will not be contended by any big Navy advocates that England is taking any steps to increase her naval strength. Anyone who may have that impression is, as I verily believe, not informed as to the facts. A recent issue of the Scientific American is authority for the statement that since the signing of the armistice England has done practically no naval construction whatever, except to finish one battle cruiser, the *Hood*, which was from 65 to 70 per cent completed on November 11, 1918. She had three other battle cruisers under construction at that time, but less advanced, all of which were broken up and the materials sold as junk.

According to the same authority, which I assume no one will dispute, not only has England stopped all further navy building but has actually retired, or passed to the second line to be used for training and practice purposes, approximately 150 vessels of various types, including quite a number of her supposed first-class battleships. In 1924, the end of the building program upon which we are now engaged, England's capital ships, with the exception of the *Hood*, will all be over 7 years of age, and such vessels are considered obsolescent at 10. This being the case, then who will say that England is contending with us in a race of naval construction?

We have in this country many people who believe that the United States should have a fleet equal to that possessed by any other country. We have a few who believe that the United States should have a navy of far greater strength than that possessed by any other nation. We have some people among us who would have us build a navy superior to the naval



strength of all other countries combined. There is no question in my mind as to our present naval strength being not only equal but superior to that of any other country.

England's losses during the war were far greater than the average person has any conception of. A pamphlet recently issued by our Office of Naval Intelligence, entitled "Information concerning the United States Navy and other navies," gives a list of the losses suffered by the British Navy during the war from shell fire, submarines, mines, and other causes. The list shows that her actual loss was 219 naval vessels, including 3 battle cruisers, 1 of which was the superbattle cruiser *Queen Mary*. She also lost 13 battleships, including the dreadnaughts *Audacious* and *Vanguard*. Her further losses consisted of 10 armored cruisers, 9 light cruisers, 6 monitors, 67 destroyers, 52 submarines, 22 sloops, and 37 auxiliaries, the total tonnage of which was approximately 750,000 tons displacement, or more than double the tonnage of the entire capital fleet of the present Japanese Navy.

With Germany, Russia, France, and Italy entirely out of the contest, which I assume no Member of this body will dispute; and with England not only having stopped all construction but having retired many of the vessels heretofore in her fleets, then the race is narrowed to the United States and Japan.

From the time the Philippine Islands were purchased by this Government Japan has been held up before us as a scarecrow. Everything that we do in the way of naval construction or of building fortifications in distant Pacific island possessions is magnified in Japan. Everything that Japan does is likewise magnified in this country. Apparently a studied effort has been put forth to have each nation pitted against the other. Not only has that been the case, but great steel industries in this country have in the past actually sold armor plate to Japan at less than half the price they were at the same time selling it to the United States Government. All this, of course, was for the purpose of aiding Japan to keep up an appearance in order to spur the United States to increased appropriations.

As a matter of fact, the present strength of the United States Navy is considerably more than double that of the Japanese Navy, and while we have 10 more dreadnaughts booked for completion by 1924, thus increasing our dreadnaught fleet from 17 to 27, Japan has authorized but 2, which will increase her total from 7 to 9. In fact, there is but one branch in which Japan's strength is equal to ours, and that is in battle cruisers. We at present have none, but by completion of the program in 1924 we will have 6. Japan now has 4 and is building 4 more, which will give her a total of 8.

I desire in this connection to give some figures as to the relative strength of the capital ships of the United States, England, and Japan as they are to-day and as they will be in 1924. I also obtained these figures from the *Scientific American* of February 12 of this year. Our capital fleet now consists of 17 battleships and no battle cruisers. By completion of the present program, in 1924 we will have 33 capital ships. England now has 32 and will have no more in 1924. Japan now has 11 capital ships and in 1924 will have 17.

Our capital fleet now has a displacement of 467,250 tons; in 1924 it will be 1,117,850 tons. England's capital ships now have a tonnage of 808,200 and will be no more but possibly less in 1924. Japan's present tonnage of capital ships is 319,140 and in 1924 will be 543,140, assuming, of course, that the present program in all countries will be carried out. Our capital fleet now mounts 188 guns, and in 1924 will have 340 guns. England's capital fleet now has 284 guns, which in 1924 will be the same, or possibly less. Japan's capital fleet now has only 108 guns, and by completion of her contemplated program will have but 164 guns in 1924. The energy of our gun power is now 11,989,176 foot-tons, and in 1924 will be 28,597,176. That of England is now 19,080,000, and will doubtless be the same or even less in 1924. Japan's is now 7,480,000, and in 1924 will be 13,415,400 foot-tons.

From this data it will appear that England is perfectly willing for us to expend our money and energy in building \$40,000,000 battleships and battle cruisers, while she contented herself to rest and recuperate from the effect of the war, her people, like ours, being sadly overburdened with debt and ground down under heavy burdens of taxation. Evidently she has not the faith in the efficiency of the capital ship that we have, or else she has decided that it is the better part of wisdom to retire altogether from the race for naval supremacy.

Under the circumstances, Mr. Chairman, it certainly occurs to me that in the way of naval construction we have practically all the race to ourselves, and a studied effort has been put forth to create an imaginary rival, but unsuccessfully. If we could but eliminate private profit in the matter of shipbuilding, there would not be enough sentiment in this country under existing

conditions to cause this Congress to add as much as a single canoe to our present Navy.

We also hear much said about calling a conference of nations to consider the question of disarmament. I do not oppose such a plan, but at the same time put very little faith in such discussions. The interests that profit so much in the building of great armaments will sow the seeds of discord around the conference table. I have serious doubts whether anything tangible can be accomplished in that way. If we continue our present program of construction, we had just as well not enter into any such discussions. We must first convince the world that we are in earnest by stopping all construction ourselves and then request other nations to do the same. They will in all probability be glad to follow our example. But if not, let us serve notice upon them that further construction upon their part will be considered a menace to us and an act unfriendly to the United States. A similar notice was sufficient to enforce the Monroe doctrine even at a time when we had no Navy at all.

Certainly, Mr. Chairman, there is less reason now than ever before for our making such wild and extravagant appropriations for war purposes as we are doing. The whole world is prostrate. There is not a nation in the world that could make war upon us if it so desired. Anarchy prevails in one-half the world to-day on account of the last war, and it would become universal, outside of the United States, in the event of another war. Our own people are groaning under the burdens of taxation caused by the last war. If we continue to go ahead as we are now doing and place heavier burdens upon them for unnecessary armaments, then the war from which we have just emerged will have been fought in vain.

Mr. Sisson. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia [Mr. Harrison].

Mr. Harrison. Mr. Chairman and gentlemen of the committee, I think there are several things that can be taken as conceded, and the first is that there is not a Member of this body who is not willing to appropriate every dollar that is necessary for the support of such an Army as the safety of the country requires. The only possible question that can divide the Members of this House is as to what is necessary to insure the security of the country. And the next one that I think will be conceded is that this is no time in which to spend the public money unnecessarily. The depression in all lines of industry is such that the utmost economy is demanded. Not a dollar of public money should be expended which is not essential. And the third thing that I think ought to be taken as conceded is that no huge deficiency bills will be permitted. It is the province of Congress to say what shall be the limitation on the appropriations for Army purposes, and I think it is an invasion of the rights of Congress for an executive department to use huge sums that Congress has not appropriated for the maintenance of a Military Establishment. Congress holds the purse under the Constitution, and for the Executive to maintain an Army on a great deficiency bill is a usurpation of unwarranted power. The express provision in the pending bill forbids this. The sole question that arises under the first head is not how much money can we afford to appropriate but how much money we must appropriate for the purpose of protecting the interests of this country. The security of the people is the supreme law, and what is necessary must be provided regardless of the burden it imposes. But after that has been attained not a dollar can be imposed. Never has there been such depression in all lines of industry. The agricultural interests, with which I am most familiar, are suffering a greater stagnation and loss than they have ever suffered before in my experience. Other lines of industry report great financial distress. The demand is insistent that taxes and burdens on industrial life shall be lessened. We must appropriate what is essential, and we must not appropriate what may be saved by rigid economy. The cry for reduction of tax burdens is insistent and universal.

The first question is, then, whether we have appropriated a sufficient amount to secure an Army adequate to national safety. The sum appropriated for national defense is enormous. This Congress has passed a naval bill carrying an aggregate appropriation of \$396,000,000. This Army appropriation carries \$330,000,000. The fortification bill was \$8,000,000, a grand total in profound peace of \$735,000,000. Only a few years ago the first billion-dollar Congress startled the country with its five hundred million annual appropriation for all purposes. This Congress carries \$735,000,000 annual appropriation for military purposes only. Certainly the burden thus imposed on the great American army of toilers is sufficiently great to raise the belief of its ample sufficiency. There is no proposition to raise an Army such as would be required in time of war.

What difference is there so far as preparedness goes between an Army of 175,000 men, as suggested by the distinguished gen-

tleman from California [Mr. KAHN], or 165,000 men, as provided for in this bill? Why, an Army either of 175,000 enlisted men or 165,000 men in time of war would be utterly insignificant. We had 4,000,000 men in the Army when the Great War closed. There would be no more suggestion of preparedness in having an Army of 175,000 men than in an Army of 165,000. Both would for war purposes be bagatelles.

If we bear in mind that the commissioned personnel is the permanent feature of any Army and is the real Army, and that the enlisted strength need never exceed the immediate demand of the present requirements, it seems to me we have reached the point from which we can determine the present enlisted strength for the Army. The present bill makes a liberal provision for the commissioned personnel, and for what do we need the enlisted strength of the Army?

We have in the Philippine Islands about 18,000 men; we have in the Panama Canal Zone about 8,000 men; we have in Hawaii about 9,000 men; on the Mexican border we have about 11,000 men and on the Rhine about 15,000 men. So that for the purposes of the protection of the foreign territory of this country, and the Mexican border, we have about 70,000 men, and that would leave in the neighborhood of 100,000 men for the protection of the domestic interests of this country.

Mr. HARDY of Texas. If the gentleman will permit, how many did he say there were in the Philippines?

Mr. HARRISON. I said that, in round numbers, there were about 18,000. It is a little over 17,000. But there are, as I say, in the foreign territories of this country, including the Mexican border, about 70,000 men. That leaves about 100,000 men for use in the domestic territory of the United States, and for the practical purposes of peace it seems to me that that is sufficient. We can not, as I say, provide an enormous Army such as might be required by war. This gives us one man for every 1,000 of the population. It is distributed throughout the United States in such a way as is necessary for the protection of the interests of the United States, and to raise this Army from 165,000 men to 175,000 men, without showing where those extra 10,000 men are to be used seems to me to be a useless waste of public money.

It is said the difficulty about it is that we have men enlisted that it will be necessary to get rid of by discharges. As I understand it, the enlistment contract especially provides the right to the United States to discharge the enlisted man before the expiration of his time of enlistment.

Mr. FISH. Will the gentleman yield?

Mr. HARRISON. I will.

Mr. FISH. Does the gentleman say that there are 70,000 American soldiers in our foreign possessions?

Mr. HARRISON. That is the way I figure it.

Mr. FISH. I think the gentleman enumerated only about 50,000.

Mr. HARRISON. I said 18,000 in the Philippines, 8,000 in the Panama Canal Zone, 11,000 in Hawaii, 18,000 on the Mexican border, and 15,000 on the Rhine. I just made a rough estimate.

Mr. FISH. The gentleman counts the troops on the Mexican borders as though they were in a foreign land?

Mr. HARRISON. I might have been more explicit. I treat the troops on the Mexican border as in foreign service. There may be also troops in Porto Rico.

Mr. HULL. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. HULL. Did I understand the gentleman correctly that he would justify the Government in discharging an enlisted man that has a contract to serve for three years?

Mr. HARRISON. Yes; I understand that that contract expressly includes the right to the Government to discharge whenever it thinks proper.

Mr. HULL. You understand that every contract that the Government makes with anybody has that very provision in it, and yet you voted in this House to keep contracts that were not even signed with the corporations of this country.

Mr. HARRISON. We are keeping it when the contract expressly reserves the right to terminate it whenever we think proper.

Mr. HULL. Why did they not break it with the corporations even when the contracts were not written?

Mr. HARRISON. We terminated the contracts, in those contracts for supplies, under the terms of those contracts.

Mr. HULL. And they always have a claim for damages.

Mr. HARRISON. We had to pay damages because the contracts stipulated for them. In this case we are merely carrying out the provisions of the contract itself, which says we have the right to terminate the contract of enlistment.

Now, there is no possible way in the world to get this Army down to the proportions which this situation requires and which the interests of the country require other than by at once terminating these enlistment contracts and bringing the Army down to it.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. ROSE. I was called out of the Hall just as the gentleman was talking about the size of the Army which he would like to see this Government maintain. I would like to know if the gentleman is opposed to an army composed of 150,000 men in time of peace?

Mr. HARRISON. I think the committee has gone over the possible uses of the Army and has reached the conclusion that for the protection of the territories and domestic service it is not safe to reduce beyond the limit we have fixed. I have been discussing whether we had an army of a sufficient enlisted strength and have not yet discussed whether the enlisted strength might not be further reduced.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks. I hope later to discuss the further reduction of the enlisted strength.

The CHAIRMAN. The gentleman asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Chairman, I yield the balance of the time allowed to this side to the gentleman from Wisconsin [Mr. FREAR].

The CHAIRMAN. The gentleman from Wisconsin is recognized for seven minutes.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I thank the committee for the brief time given to me, although it is much too short for me to express all I have in mind in connection both on the naval bill and the Army bill, and particularly on the naval bill which passed the House yesterday.

Mr. Chairman, I desire to speak briefly of the naval bill that has just passed the House, because, in common with a number of Members who oppose reckless extravagance, I feel that a measure which carries practically three times the amount of prewar naval expenditures annually, to be expended more than three years after the war is over, is indefensible in character. Neither will it be claimed that the Army bill now before us carrying \$331,000,000 for 1922 is a model for economy.

Republican Leader MONDELL yesterday made a frank, candid statement to the House and to the country that President Harding is in sympathy with the program of disarmament of nations, and that he will try to initiate that program at an early day, possibly during the time of the present session, after world conditions have become more normal. The statement is reassuring, for no Member of Congress, irrespective of politics, would willingly vote to embarrass the President on a vital question in world affairs, nor can any man fail to recognize the tremendous problems which must be solved by him alone.

Congress, however, also has large responsibilities that can not be ignored, and we are now facing a record of past and future expenditure demanded for war purposes which astound the country and may alarm the world.

In the most amazing estimates ever proposed in any country in time of peace the Navy Department last session asked for an appropriation of \$680,000,000 following expenditures of \$736,000,000 for naval purposes during the fiscal year 1920 and \$433,000,000 in 1921. A deficiency appropriation of \$53,487,355 increased the total for 1921 to \$486,766,929. The bill for 1922 passed by the House last session cut the estimates to \$396,000,000. A hundred million dollars were added thereafter by the Senate committee, bringing the total to \$496,000,000, but it never reached a vote there, for it was killed by the courageous action of a handful of men in the Senate. The 1922 bill again has passed the House and again carries \$396,000,000.

This proposed expenditure involves the uninterrupted prosecution of the great building program of 1916, which, as originally planned, was to cost the country \$544,700,000. That plan has already involved an expenditure of \$538,270,000, we are told, and it will cost almost another half billion to complete. Indeed, with the added yards, docks, and other facilities that it makes necessary, it is estimated the total cost will run to \$1,500,000,000 apart from all other enormous current expenditures for naval purposes. Recklessly wasteful estimates for



1922 by Secretary Daniels of \$680,000,000 for the Navy, and by Secretary Baker of \$707,000,000 for the Army (Treasury report, p. 279), have been practically slashed to the middle, but it is little comfort for those who pay the bills to know that appropriations we are passing this week for Army and Navy purposes in 1922 are approximately three times the size of bills for the same purposes in 1915.

#### WHOM DO WE EXPECT TO FIGHT AND WHEN AND WHY?

Our country has a Navy, according to expert authorities, almost equal in effectiveness to that of Great Britain, with no colonies or distant dependencies to maintain or protect. We have a Navy twice as powerful and expensive as that of any other country in the world, barring alone Great Britain, our ally in the recent war. Jingoism who want war live in every land. In Japan they declare our country is an international bully looking for war, while American jingoism see red whenever Japan is mentioned. To-day mutually they would force two great nations to fly at each other's throats over the possession of an island 5,000 miles distant from our shores and less than 3 miles square.

Demands for war and for big armaments frequently come from those who profit by wars, who risk no personal injury, yet when war is over these interests generally demand repeal of any tax upon their wealth or profits and insist that enormous war-tax burdens shall be shifted to the backs of the people through a consumption tax.

Senator KING's charge that private shipbuilding interests are pressing big naval appropriations is a matter of official record in a Senate committee's report filed last session on practically the identical bill we have now passed for the second time. Another Senator of equal position, whose name for parliamentary reasons can not be referred to, said of this bill: "We can not delay construction by taking six months' recess, for six of these battleships are in private yards. Four battle cruisers are also in Government yards. To delay construction would lead to great injustice to very large shipbuilding concerns." This plea comes from the poor shipbuilder who is always with us.

I am discussing briefly these enormous expenditures, past and prospective, irrespective of disarmament. The disarmament question is international in scope and comprehends the folly of war expenditures from a moral and humanitarian standpoint. But I speak also of the wasteful, extravagant policy that seeks to continue enormous war preparations in time of peace, and of the influences that stand behind such a ruinous legislative policy.

With feverish haste we are now building warships at a cost to the Government of about \$40,000,000 for each of the 17 capital ships under construction, a tax of about \$2 for the average family of 5 for each of those 17 ships. This is more than twice the cost of the National Capitol Building for a single battleship or cruiser; over two-thirds of all Government appropriations in 1920 for education and science combined—spent for a single vessel. If Congress finally appropriates \$496,000,000 called for by the bill as passed by the Senate committee last session, we place on each family in the land a yearly tax burden of nearly \$25 for a fighting Navy in times of peace.

#### NINETY-TWO PER CENT OF EXPENDITURES OCCASIONED BY WAR.

It has been demonstrated that 92 per cent of all our annual Government expenditures are made for wars past, present, and future, counting charges directly occasioned by war, while only 1 per cent is spent by Congress for educational purposes. What answer can we make to this record of barbarism that rivals the worst pages of history, ancient or modern?

Our country is bending under a public debt of \$24,000,000,000 due to the war, while our annual interest charge of over \$1,000,000,000 is linked with railroad, Army, pensions, war risk, and similar expenditures—all legacies of the war—amounting to upward of two or three billions annually. In addition to this stupendous amount, before the naval bill passes the Senate we may be asked to spend nearly another half billion dollars for vessels that in a brief time will be of no more value than so many huge iron kettles. Long before another war is provoked by any other country the ships we are building to-day will be ready to serve as targets for airplane practice, while new inventions and new war machines will have superseded those we now build. All this is done in the name of "national war insurance."

The man who recklessly swings a loaded weapon invites trouble. Toting guns is prohibited by law, because possession of superior force provokes use of guns. For 40 years the Kaiser perfected his war machine, looking for trouble, which is always to be found when wanted. Seven short years ago Germany, Austria, and Russia had the greatest armies in the world. For

many years their taxpayers carried military burdens as national insurance against war, so they were told; yet to-day the territory of those countries has been parceled out among their more peaceful neighbors as one of the results of injudicious war insurance, while England, with her greatest navy in the world, built for insurance in like manner, would have been crushed but for the United States.

#### INTERNATIONAL FRIENDSHIP IS WORTH MORE THAN BATTLESHIPS.

An ounce of international confidence and friendship is worth a ton of war material when it comes to insurance against war. In the past it has been considered unpatriotic to question any expenditures urged for the Army or Navy, but the country is awakening to the fact that the only tangible evidence of war now before us is found in the enormous tax budgets demanded by naval and military authorities everywhere, and in the maimed, crippled, and blind soldiers whom four years ago we pledged this country should never be forgotten. Those who advocate demands on the Treasury for enormous Army and Navy appropriations are helping to maintain the present tax rates that rest heavy on a people struggling amid the industrial and social wreckage left by the last war. Expenditures such as are contained in the naval bill and the Army bill before us encourage a policy of rivalry and aggression among the nations of the world. They invite strife and disaster for those who play the war game. Do we desire to lead in such fatal rivalry?

A committee of which I am a member is deluged with protests against taxes. Protests from corporations against excess-profits taxes, protests from dealers of all kinds against luxury taxes, protests from business men against high rate income taxes, and protests against every other kind of tax with a flood of demands from taxpayers for an exact accounting. Many of the protestants demand that all present burdens be shifted to all that the people eat, drink, and wear like the taxes imposed by Rome of old. Against this storm of protests and demands we behold champions of heavy naval appropriations now demanding for America the greatest Navy in the world which carries with our other war-tax burdens a load compared to which Germany's pre-war taxes were insignificant.

Nearly four years after the armistice Congress will be asked to vote four to five hundred million dollars in a bill for naval purposes for 1922 alone. The world lies devastated and prostrate; England, mistress of the seas for centuries, refuses to continue this mad battleship-building race, yet a powerful propaganda in our country demands more ships and still more ships at \$40,000,000 cost per ship, dwarfing the combined naval preparations of England and Germany eight short years ago.

#### WHAT WE MAY LEARN FROM MEXICO.

I quote a significant utterance voiced from poor, benighted Mexico. President Obregon on April 27 announced his disapproval of spending \$50,000,000 for the Mexican Navy, and said, "I believe modern countries should demonstrate their moral strength and not attempt to build up a display of brute strength. This money will be spent for instruction and for agricultural purposes." In the highly civilized United States we reverse that order, and at a time when agriculture is struggling to survive the calamity of war we levy a tax of \$400,000,000 on industry and labor, including agriculture, "to build up a display of brute strength" which this fighting general condemns for war-worn Mexico.

"Americanism," "national honor," and "patriotism" are words to inspire, and self-protection is a first principle of life whether for the individual or nation, yet it must be remembered those in the ranks who fight, suffer, or sacrifice in war are those who ever bear the greater part of war's tax burdens, while cries to arouse national pride are not always instigated by unselfish interests or for unselfish purposes. If the voice of the people back home who are paying the enormous tax legacy of the war could be heard, what think you would be their opinion of nearly a half billion dollar naval expenditure three years after war had ended and a scarcely less cost for the Army? Would they advise us to throw wide open the Treasury doors in order to lead the race in naval domination on the Atlantic and the Pacific? What would be their judgment?

President Harding is confronted with many problems that would tax the wisdom and judgment of a Solomon of old, but one of the most vital questions of the day is whether the hand of international greeting extended by Governments, one to the other, contains a token of genuine friendship or grips a weapon that may again threaten the peace of the world. That is the call for disarmament. Calls for world disarmament are voiced by the tax-burdened people of every land; it is a call in the name of humanity that has for its ultimate purpose the saving of civilization from the fatal pestilence of war.

If a policy of world domination is to be our aim, then indeed the future is obscured by dark clouds. But I can not be-

lieve that the everyday folks, the God-fearing, peace-loving people who pay the bills and who speak with the voice of ultimate authority, will indorse a program built on extravagance, a program that foreshadows strife and misery for those who must ever bear the burden. This stupendous naval program in time of peace, I believe, will provoke a protest from the people, and that protest should be heeded at both ends of the Capitol. [Applause.]

The following war statistics carry their own lesson:

*National debt by wars of the United States.*

Revolutionary War	\$170,000,000
War of 1812	119,000,000
Mexican War	173,000,000
Civil War	3,478,000,000
Spanish War	1,902,000,000
World War	24,000,000,000

<i>Money appropriated by the United States for military preparedness.</i>	
1909-10	\$279,000,000
1920-21	828,000,000
Estimates, 1921-22	1,379,000,000

*Actual expenditures for fiscal year 1919-20.*

Research, education, public health	\$59,000,000
Ordinary Government functions	226,000,000
Public works	85,000,000
Army and Navy	1,348,000,000
Pensions, interest, and expenditures due to past wars	2,690,000,000

The CHAIRMAN (Mr. TILSON). The time of the gentleman from Wisconsin has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

*CONTINGENCIES OF THE ARMY.*

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices at Washington, D. C., or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed \$4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, \$75,000: *Provided*, That not to exceed \$40,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims: *Provided further*, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, as, or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market: *Provided further*, That none of the funds appropriated or made available under this act shall be used for the payment of any salary in excess of \$5,000 per annum to any civilian employee in the War Department.

Mr. GRIFFIN and Mr. F. COTHINGHAM rose.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] rose first, and the Chair will recognize the gentleman from New York.

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the paragraph beginning with line 21 of page 2 and ending on line 2 of page 3 with the word "market," and the ground of my point of order is that this is new legislation in the category of an amendment to existing law.

Mr. KAHN. Mr. Chairman, will the gentleman reserve that point of order until an explanation can be made?

Mr. GRIFFIN. Surely.

The CHAIRMAN. The gentleman reserves a point of order. Mr. KAHN. Mr. Chairman, the Committee on Military Affairs received a letter from the Secretary of War respecting this very matter. There are large quantities of food which are rapidly deteriorating and which might prove a total loss. There seems to be no demand for that food in this country, and it was believed by the War Department that a sale of it could be made in foreign countries.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GRIFFIN. Is the gentleman able to say what the nature of that food is that is on hand?

Mr. KAHN. Yes. It is dehydrated vegetables at the present time.

Mr. MACGREGOR. Is it not meat?

Mr. KAHN. No. The meat has all been sold in the domestic market. There was some canned meat which it was proposed to sell, because there did not seem to be a market for it in this country; but in recent weeks that has been sold, and the food that is now declared surplus is dehydrated vegetables, and it is desired to sell that food to foreign countries.

Mr. LAYTON. What does the gentleman mean by "dehydrated" vegetables?

Mr. KAHN. The Committee on Military Affairs had the matter before it. We had hearings on the resolution, and the committee unanimously decided to report it out of committee.

The resolution is now on the calendar of the House, but probably this bill will pass before we could get action on a separate bill or resolution, and the members of the Committee on Military Affairs, as I understand it, have no objection to a provision like this. One of the members of that committee will offer a substitute for the language in this bill. I hope the gentleman from New York will withdraw his point of order.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. LAYTON. I want to ask the gentleman a question. The CHAIRMAN. The gentleman from California [Mr. KAHN] has half a minute remaining.

Mr. LAYTON. That does not include canned goods, does it—dehydrated vegetables?

Mr. KAHN. I do not know whether they are put up in cans or not. I believe that during the war they used to be put up in gunny sacks.

Mr. ANTHONY. The dehydrated vegetables are put up in tins containing 15 pounds, which no American family would buy on account of the size.

Mr. LAYTON. The water has been taken out? It does not include canned goods?

Mr. ANTHONY. I believe not.

Mr. MACGREGOR. Dehydrated potatoes, for example. There are 10,100,000 pounds.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. This proceeding is entirely under unanimous consent. The Chair will recognize the gentleman for five minutes.

Mr. GRIFFIN. Mr. Chairman, I realize that it is rather a late day and hour to attempt any economy or retrenchment in the matter of the disposal of surplus war material. The damage has now practically been done. I called up the officer in the War Department who has charge of this bureau and asked him to give me the facts as to the amount of surplus material that he has, including subsistence supplies. He gives me the information in the form of a letter, signed by Quartermaster General H. L. Rogers, which I will ask unanimous consent to print as a part of my remarks.

The letter is as follows:

WAR DEPARTMENT,  
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,  
Washington, April 29, 1921.

Hon. ANTHONY J. GRIFFIN,  
House of Representatives.

MY DEAR SIR: Confirming telephone conversation of yesterday afternoon, there is submitted herewith for your information list of sales and transfers of surplus property consummated since inception:

<i>Sales and transfers.</i>	
Sales price	\$472,704,281
Cost to Government	\$662,442,167
Recovery	per cent 71.3

The following amounts of subsistence remain on hand unsold this date in the following areas:

<i>Area.</i>	
Boston, Mass	\$57,584.00
New York, N. Y.	3,098,246.00
Atlanta, Ga	136,796.00
Chicago, Ill	102,640.00
San Antonio, Tex	5,740.00
San Francisco, Calif	92,965.00

Total 3,593,971.00

This does not include canned meats, which were all sold April 21, 1921.

Very sincerely,

H. L. ROGERS,  
Quartermaster General.

The substance of his report is this; that the Government sold or transferred surplus matériel to the extent of \$662,442,167 for the sum of \$472,704,281, or at a loss of 29 per cent. Nearly all of the subsistence supplies in the control of this bureau have been disposed of. It has now surplus matériel at different cities in the United States amounting to a total of \$3,593,971 in value. That is hardly enough to warrant changing the law by throwing it on foreign markets. The damage has been done. If anything, we should try to recoup instead of enhancing it. The other day the War Department consummated the sale of all the meat that it had on hand—119,000,000 pounds of canned meat, sold for \$5,316,276, or at the rate of 4.4 cents per pound. Just think of it, selling canned meat in this day of high prices and profiteering, at less than 5 cents a pound!

Mr. MACGREGOR. Will the gentleman yield?

Mr. GRIFFIN. Pardon me until I finish this thought. Gentlemen say that the War Department could not have sold this meat to the people at large. Why? Because they made no effort to sell it to the people. The nature of their restraints upon bids and estimates was such that only men of large capital could bid, like Roberts & Co., of Philadelphia, who bid a lump



sum for this 119,000,000 pounds of meat, over \$5,000,000. But I humbly submit to the judgment of this House whether I am correct or not, that if they put this meat on the market where the people could buy it they undoubtedly would buy it.

Mr. MACGREGOR. Will the gentleman yield? I do not like to have the gentleman make statements that are entirely incorrect. The gentleman knows, perhaps, that I have some knowledge with reference to the matter of surplus property.

Mr. GRIFFIN. I do know that.

Mr. MACGREGOR. And although I was very antagonistic to the administration of the gentleman's party, I must concede that every possible attempt was made to dispose of these articles of subsistence. They were offered all over the country in every possible way, by parcel post and advertisements of all kinds.

Mr. GRIFFIN. The gentleman is different from me. I do not recognize any party in matters of war or economics.

Mr. MACGREGOR. I am simply stating facts.

Mr. GRIFFIN. I think if they have been so successful in selling the meat, poor as the price was that they were able to obtain for it, they ought to be compelled to put these dehydrated vegetables on the market, so that the long-suffering people of this country might have an opportunity to buy them directly, instead of catering to wealthy speculators who have the capital and trade machinery to handle and resell them at enhanced prices.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FROTHINGHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. A point of order is pending.

Mr. FROTHINGHAM. I understood the gentleman reserved his point of order.

Mr. GRIFFIN. I did reserve the point of order.

The CHAIRMAN. Does the gentleman withdraw or make his point of order? No amendment is in order while the point of order is pending.

Mr. GRIFFIN. I make the point of order.

The CHAIRMAN. The point of order is sustained. It is clearly legislation. The gentleman from Massachusetts offers an amendment. The Clerk informs the Chair that the subject matter which the gentleman's amendment proposes to amend has gone out of the bill on the point of order.

Mr. ANTHONY. The gentleman from New York [Mr. HUSTED] desires to offer an amendment which he thinks will be in order, in place of the matter which just went out on a point of order. Will it be in order to return to that if the Clerk continues to read?

The CHAIRMAN. The gentleman asks unanimous consent that permission be given to return to this paragraph for the purpose of offering an amendment. Is there objection?

Mr. GRIFFIN. I object.

Mr. ANTHONY. Then we will offer it now.

The CHAIRMAN. The gentleman from New York [Mr. HUSTED] offers an amendment, which the Clerk will report.

Mr. HUSTED. My amendment is, on page 2, line 21, after the second word "claims" in that line, insert the following:

*Provided further*, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment as or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market, and that any moneys received on account of such sales shall be applied to the pay of the enlisted men of the Army and shall to the extent of the amount thereof reduce the sum appropriated for such purpose.

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The amendment has not yet been reported. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. HUSTED: Page 2, line 21, after the word "claims," insert: "*Provided further*, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment as or may hereafter be found to be surplus, which are not needed for military purposes, and for which there is no adequate domestic market, and that any moneys received on account of such sales shall be applied to the pay of the enlisted men of the Army and shall to the extent of the amount thereof reduce the sum appropriated for such purpose."

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] makes a point of order. Does the gentleman from New York [Mr. HUSTED] wish to be heard on the point of order?

Mr. HUSTED. Mr. Chairman, just briefly. The language stricken out was, I assume, stricken out because it did not comply with the exception to the Holman rule, it being held that the mere raising of money does not come within the rule; but this amendment now provides that the money received shall be

applied to the pay of the enlisted men, and to the extent of the amount so received that it shall reduce the appropriation carried in the bill for the pay of the enlisted men; so that it does re-trench expenditures, and I contend that for that reason it comes within the exception in the Holman rule.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] makes the point of order that the pending amendment is legislation carried on a general appropriation bill. The other gentleman from New York [Mr. HUSTED], who offers the amendment, contends that because his amendment provides that the proceeds received from the sale of these surplus goods shall be applied to the pay of the Army and that the amount carried in the appropriation bill be correspondingly reduced, it is thereby brought within the Holman rule.

It seems too clear to need elucidation that at the very best the gentleman's amendment amounts to simply taking money out of one pocket and putting it into the other. It amounts to exchanging property already belonging to the United States for cash or credit, which would also belong to the United States, and in no real sense reduces the appropriation.

Mr. HUSTED. May I say one word? It does reduce the amount carried in the bill to the extent of the amount received, and that is one of the exceptions. It is actually reducing the amount of the appropriations.

The CHAIRMAN. The property involved now belongs to the United States; therefore the amendment does not necessarily re-trench expenditure in any way. The Chair sustains the point of order.

Mr. FROTHINGHAM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. FROTHINGHAM: Page 2, line 21, after the word "claims," insert "that the Secretary of War is hereby authorized, in his discretion, to sell to any foreign State or Government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any foodstuffs now on hand and found to be surplus which are not needed for military purposes, or which are likely to spoil, and for which there is no adequate domestic market."

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MACGREGOR. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 17, strike out the figures "75,000" and insert "168,000"; also strike out the figures "40,000" and insert "118,000."

Mr. MACGREGOR. Mr. Chairman, this amendment is for the purpose of giving sufficient funds to the director of sales to proceed with the disposition of surplus property. At the present time the Assistant Secretary of War is in charge of the disposition of property. Under him is a director of sales, and under the director of sales there are several different departments which have to do with the coordination of sales by the various surplus property divisions of the several departments of the Army. In the director of sales office there are eight different divisions. There is a plant facilities section, railway and contractors equipment and builders materials section, machine tools section, administrative section, contract section, sales and general supplies section, promotion section, transfer and inventory section.

Further down the line there are the surplus property sections of the Quartermaster, Engineer, Signal Corps, Air Service, Medical Department, and Ordnance. In order to effectively carry out the proposed disposition of the immense amount of property that is on hand it is necessary to have an effective organization. The War Department has on hand property of the cost value of \$3,722,000,000. This property is scattered all over the country. The Quartermaster's Department, for instance, has six zones of surplus property. The Ordnance Department has supplies scattered in 35 or 36 different places in the country. The director of sales at the present time is handling the sales of between five and six million dollars a week, and he is also handling the transfer of equipment and supplies to the various departments of the Government which are covered by these 44 different acts which we have passed directing the transfer of material to other departments of Government.

Now, this provision in this bill would only permit the expenditure of \$40,000 for carrying on the work of director of sales office, and the work of adjustment of war contracts and claims, which is an entirely different department. At the present time the director of sales pay roll is \$79,040, with a personnel of 54, which seems to me very reasonable.

I want the War Department to declare many millions more of surplus. I think we ought to cut down this \$3,722,000,000 worth of property to a reasonable basis, and you can only do it

through an effective selling organization. We ought to give them sufficient funds to carry it on, and therefore I ask that this amendment, which is approved and asked for by the Secretary of War, with whom I talked this morning, be agreed to.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. MACGREGOR. Certainly.

Mr. JOHNSON of Mississippi. What salary do these men get? Do you leave it to the discretion of the Secretary of War to pay them anything they want? You would have to have a million dollars if you paid them what they want.

Mr. MACGREGOR. The director of sales has a secretary who gets \$1,800. Under him is an executive officer who is a major in the Army. He has an information clerk at \$1,800 and a stenographer at \$1,200 and a file clerk and typist at \$1,200. The two assistant directors of sales are Army officers. They have one stenographer between them at \$1,200. In the plant facilities section there is a stenographer and in the railway contractor equipment there is a stenographer.

Mr. JOHNSON of Mississippi. I do not want to take up the gentleman's time, but on page 3 it provides that no civilian employee shall receive more than \$5,000. Is there any intent to raise these salaries?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MACGREGOR. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MACGREGOR. This \$5,000 provision covers any of the funds appropriated under this act.

Mr. JOHNSON of Mississippi. But it gives the Secretary the right to fix the salary at not more than \$5,000, thereby vesting in him discretion to pay as much as he sees fit up to the amount of \$5,000.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. GARRETT of Tennessee. This amendment, of course, is designed to just have them tread the old pathways.

Mr. MACGREGOR. They want to carry on.

Mr. GARRETT of Tennessee. They want to carry on. It is a tribute to the administration.

Mr. MACGREGOR. To the gentleman's administration.

Mr. GARRETT of Tennessee. To our administration. It is an acknowledgment that it was entirely honest, perfectly square.

Mr. MACGREGOR. We will concede.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. GRIFFIN. Is there anything in the law or in the practical operation of the law to prevent the surplus war material bureau from using the officers and men of the United States Army—the Quartermaster Corps, for instance?

Mr. MACGREGOR. There is nothing in the law to prevent it.

Mr. GRIFFIN. Why do they not do it?

Mr. MACGREGOR. If the gentleman had studied the Army as long as I have, and he probably has, he may well ask why. Why do they have 36,000 civilian employees in the Quartermaster Corps; why do they not use some soldiers?

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. DOWELL. How many of the officers of the Regular Army are engaged in this work? I mean the work provided for in this bill.

Mr. MACGREGOR. In the office of the Director of Sales there are about eight or ten.

Mr. DOWELL. Officers?

Mr. MACGREGOR. Yes.

Mr. DOWELL. Does the gentleman mean to state that there are only eight or ten officers engaged in this work of disposing of surplus materials?

Mr. MACGREGOR. Oh, no; I did not say that. I say in the office of the Director of Sales. He is a coordinating officer as between the surplus property divisions of the various bureaus of the War Department.

Mr. DOWELL. The gentleman means in the room where he is located?

Mr. MACGREGOR. Not in the room.

Mr. DOWELL. And not the entire aggregation of officers that he has over the country?

Mr. MACGREGOR. I mean simply here in Washington.

Mr. DOWELL. In this one office?

Mr. MACGREGOR. Yes; that is the only place he has.

Mr. DOWELL. But they have a number of officers who are assisting in this work throughout the country.

Mr. MACGREGOR. In the surplus property divisions of the Quartermaster Corps, the Engineering Department, the Ordnance, Signal Corps, and Air Service.

Mr. DOWELL. And this department is able to get all of the official assistance they desire from the other departments in making these sales. Is not that correct? Has not the Quartermaster Department charge of these sales?

Mr. MACGREGOR. Oh, no; the Quartermaster Department has not general control of the sales.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. ANTHONY. I think the gentleman from Iowa [Mr. DOWELL] is largely correct in his assumption. We have parallel activities in every one of the departments in this general sales department. The Quartermaster Department has a sales organization.

Mr. MACGREGOR. Yes.

Mr. ANTHONY. And so has the Signal Corps and others.

Mr. MACGREGOR. But they must have a coordinating officer.

Mr. ANTHONY. Yes; but we believe that with the authority given them to employ all of the Army officers they need they can get along without these high-priced civilians, and with the \$40,000 that we appropriate we believe it will give them enough to employ a sufficient coordinating force.

Mr. MACGREGOR. There is no high-paid official in that office.

Mr. ANTHONY. We do not need them. We already have highly paid Army officers.

Mr. DOWELL. Mr. Chairman, the question that I asked of the gentleman from New York has been answered by the chairman of the committee, the gentleman from Kansas [Mr. ANTHONY], and it seems to me that more appropriation merely means to deprive these officers of something to do.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MCKENZIE. Mr. Chairman, I rise in opposition to this amendment, but I want to say a few things out of order, and I ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. MCKENZIE. Mr. Chairman, I am opposed to the amendment offered by the gentleman from New York [Mr. MACGREGOR]. Instead of increasing this amount I think the proper thing to do would be to strike out the whole appropriation. I do not agree with my distinguished and able friend from Tennessee [Mr. GARRETT] that we as a party approve of the policy of the former administration in regard to this matter. I want to say to the gentleman from Tennessee that, so far as I am personally concerned, I fought the proposition to create the office of director of sales, and I have never changed my mind about it. I feel that with the great number of excellent, able, well-qualified officers that we have in the Army of the United States we could get along in the disposal and disposition of our surplus products, at least now since we have provided for an Assistant Secretary of War, through whom these men could function without the office of the director of sales. Therefore I am opposed to it.

I want to call the attention of the Members of the House to the fact that in this very item lies the crux of the whole situation, so far as the great burden of taxation on the people of this country is concerned, when it comes to the matter of maintaining a good Navy and a substantial Army. There is no man, in my judgment, in the United States who is a good American who is not in favor of a splendid Navy. We want the best battleships and the best cruisers that can be created by the genius of man to carry the flag of our country over the seas of the world and to defend not only our commerce but the liberty of the American people; but we ought to see to it that that Navy is on the seas. The great trouble with our Navy to-day is not in the expense of building and maintaining our battleships and submarines and destroyers and all of the things that go out to sea, where danger lurks in time of war, but it is in the useless expenditure and the useless waste that is carried on by the Navy on land in this country, and it ought to be cut out. The idea of having 75,000 men working in the navy yards of our country in time of peace, when many of them are unnecessary! The idea of supporting unnecessary hundreds and thousands of men here in the clerical and administrative force of the Navy on land! It ought to be curtailed, and we can then support the best Navy in the world for a reasonable sum of money.



I am in favor of a good substantial Regular Army. I stood and voted for the reorganization bill which we passed. In that law we provided for a General Staff that will be the best staff that has ever been created by the genius of man inside of 10 years, both field and General Staff. We need perhaps as a minimum, even in time of peace now, 175,000 enlisted men in the Army. That is due to the fact that times have changed. I listened to my good friend from Texas yesterday telling about the days of the Revolution and the Mexican War and the glory of San Jacinto, and all of those things, and I approve of every bit of it. There never has been a time when American citizens—and on citizens we must rely for our defense in time of war—there never has been a time when the American citizen soldier did not add luster and glory to the flag that is the emblem of our liberty, and he always will. But in time of peace now we have various activities that we did not have in those days. We did not have the aircraft then. We did not have the automotive power in those days. We did not have many things that we must now have in the military organization which requires men to handle them and carry them on, and I am in favor of having a sufficient army of enlisted men to do that. But we can have 175,000 enlisted men in the Army of the United States, and with the 17,000 officers provided for we will have the nucleus of an Army that can absorb the millions of untrained citizenry of this country in case of an emergency, but I want every man in the enlisted strength of that Army trained to the last minute. I want him to be a soldier so that in case of war every one of the 175,000 enlisted men might go out and become a drill sergeant and drill the untrained youth of this land to be soldiers. And while I stand for that, gentlemen, I am in favor of compelling the Army of the United States to perform the functions for which it was intended, and that is to be a thoroughly trained and professional Army, to compel them to guard the public property of this Government instead of hiring civilians to do it. [Applause.] Why should not the trained enlisted men of our country guard the arsenals and the navy yards and the public property of this country instead of hiring civilians? Let us cut out all this civilian expense and use our Army in time of peace and then it will be of more value and not a needless expense in time of peace.

Mr. BANKHEAD. Will the gentleman yield?

Mr. MCKENZIE. In just a moment; let me proceed a little further.

Now, another thing. In time of war we run to extravagance. We become hysterical and we create needless activities that are not needed in time of peace, and I want to call attention to one. In the Military Establishment of our country to-day we have five places, depots, for the repair of automobiles and trucks, and in every one of them we have the overhead charge of commissioned personnel and enlisted personnel and then we have civilians hired to do the work. Right over here at Holabird, Md., there is a camp where they pretend to be training young men to be automobile experts, gas-engine experts, and they have got one man over there, I am advised, drawing \$7,500 a year, and another one at \$6,000 a year, and hundreds of civilians, mechanics, hired in the automotive shops. I want to tell you, gentlemen, that I hope the War Department will adopt a new policy and abolish every one of those plants, and if it is necessary to hire a few more mechanics at each of the military posts to repair the automobiles, let them repair them at the posts as they used to shoe horses in the old days used by the Cavalry and Artillery. [Applause.]

Mr. BANKHEAD. Will the gentleman now yield?

Mr. MCKENZIE. I will.

Mr. BANKHEAD. Did the naval bill, which we passed day before yesterday, cut out any of this waste of which the gentleman speaks, or does the present Army bill correct these abuses of which he complains?

Mr. MCKENZIE. Very little.

Mr. BANKHEAD. The gentleman voted for the naval bill, and I have no doubt will vote for the Army bill.

Mr. MCKENZIE. I will be frank with the gentleman. I voted for the naval bill with my eyes open, and I am going to vote for this Army bill with my eyes open; but I am talking about the policy we ought to adopt from this time on, when we get the virus of war out of our veins and get back to a normal condition.

Mr. CRAMTON. If the gentleman will permit, the gentleman is aware that the pending bill will force a reduction of 40,000 in the civilian employees of the War establishment?

Mr. MCKENZIE. Let us hope so; and it ought to be 40,000 more. We ought to have men enlisted in the Regular Army to do this work, and I am getting sick and tired of voting for salaries of civilians in the Army, and I want to see it cut out

[applause], and I want to see the present Secretary of War take enough interest not only in the country but in the Army, because the Army can not survive with this great load bearing down upon it without the abolition of all of these unnecessary auxiliaries. Now, another thing. As I have said, I want the Army of the United States to be a fighting institution. I do not want it a musical organization or a band of men that have been taught the way to draw, or anything of that sort.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MCKENZIE. I ask for one additional minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Make it five.

Mr. MCKENZIE. In 1916, when we adopted the national defense act, there were some very good citizens of our country—and I respect them—who said, "Let us make our Army a kindergarten institution and teach the boys vocational training." That thing has been taken hold of, and gentlemen of this House, if it is not throttled it will bankrupt this country. There is no necessity of having an army engage in any other pursuit than that of studying the problems of war, preparing certain of our young men to fight for us if the time comes when it is necessary.

We ought to repeal the law. As long as it is in force the officers of the Army have got to do something under it. But it ought to be repealed and the expense cut off.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Mississippi [Mr. Sisson], a member of the committee, is recognized.

Mr. SISSON. Mr. Chairman, at this juncture I want to discuss this amendment, because all through the bill this question may arise. I agree with the gentleman from Illinois [Mr. MCKENZIE], who has just taken his seat. I believe that in the past, and right now, there are infinitely more civilian employees than are necessary. I believe if you can keep the soldier reasonably busy in some useful employment while he is in the service, he is not only happier and more contented but he will gradually become a better soldier.

When we undertook the proposition of ascertaining the number of civilian employees now in the Army it was estimated that there were something over 100,000 of them. When we commenced this investigation we gave the then Secretary of War to understand that the Congress would not tolerate having one civilian employee to wait upon one Army officer or upon a private. Then, as best we could, we ascertained that there were something like 80,000 men that are now employed as civilians in the Army. It is now estimated, as suggested by the gentleman from Michigan [Mr. CRAMTON], that the provisions of this bill will cut out at least 40,000 of the 80,000 and odd. That is, of course, a radical cut. And we did not know, nor does any man in Congress know, or were we able to ascertain exactly, because the investigation would be quite an extensive one, how many men would be needed to take care of the property stored in various places in the United States. But this bill makes provision for the selling of a great deal of the property. There are certain stores that we ought to keep, certain essential things that we ought to have at all times; but there are many automobiles, there is a great deal of food, property of all kinds and character, that the Army is seeking to keep. The question of whether you shall get rid of all this property, of all this army of civilian employees, is absolutely with your Secretary of War. If he decides he does not want to keep the civilian employees, there is no trouble under the terms of the bill to get it down to a minimum, and if the policy suggested by the gentleman from Illinois [Mr. MCKENZIE] was the policy adopted right now by the Secretary of War, the mental attitude of the people of the United States would be different toward the Army, because they now feel that the soldier, except when he is actually drilling, is a loafer; and when men have nothing to do they engage in all sorts of sports of doubtful nature. It is possible that that may be the reason for so many of the boys gambling, shooting craps, and playing cards, and doing many other things; but if you keep these men busy at some useful occupation you will not only make better men of them but better soldiers, and from our point of view, as Congressmen appropriating money, we will save millions of dollars to the Federal Treasury.

I am delighted that Congress has at last been aroused to the idea that we ought to begin to economize. It has been only within the last year or two that the question of economy seems to have had any influence in this body at all. We have heard the battle cry in the past that this is a billion dollar country. But there is, in my judgment, gentlemen of the committee, nothing that is more to be deplored than the fact that a Mem-

ber of Congress would vote one single penny out of the Federal Treasury except for a useful governmental function and for some useful governmental activity. If, as was suggested by Senator Aldrich in the Senate a few years ago, you could get eradicated from the Government useless places, and could get down to a business basis, you would cut off at least 33 1/3 per cent of the annual expenditure of the peace-time budget. And I think Senator Aldrich was most conservative.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. Sisson. Mr. Chairman, I ask for two additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. Sisson. There is a rather peculiar thing. If this was your own business and not the Government business, if this was your own pocketbook and not the Federal Treasury, Congress would get busy and cut these useless employees from the Government pay roll. But your committee has to have not only the mere casual support but the active support of Congress.

There are a good many things the chairman of your committee would like to do, because he is not only an efficient chairman but he has the proper mental attitude with reference to the expenditure of public money. [Applause.] But we find ourselves constantly confronted with the proposition that if you pass a little legislation to cure a present defect, we are to be crucified with the idea that we are trying to absorb all the powers of the Government. I say to you without hesitation that a close study of the English system of legislation as well as our own will demonstrate that there are small items that affect appropriation bills and never get upon the statute books, except at the time you are considering a particular little evil, that are so small that the time of Congress ought not to be taken up with them.

Mr. PARKER of New Jersey. Mr. Chairman, I desire to offer an amendment to the amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey to the amendment offered by Mr. MacGREGOR: Strike out the figures "\$118,000" in the amendment, and insert in lieu thereof the figures "\$30,000."

Mr. PARKER of New Jersey. Mr. Chairman, the committee will see that I agree entirely with what has just been said here. We ought to reduce the number of civilian employees, but I feel as if civilian employees in this office of the Director of Sales ought certainly and especially to be called down. They seem to care more about selling goods than they do for the good of the Army. I desire to have the Clerk read in my time a notice which I have received to-day.

The CHAIRMAN. Without objection, the Clerk will read it. The Clerk read as follows:

#### Publicity Statement No. 440.

APRIL 27, 1921.

Subject: Camp Dodge, Iowa, to be sold.

The War Department authorizes publication of the following from the office of the Director of Sales:

The Director of Sales announces that Camp Dodge, located 11 1/2 miles north of Des Moines, Iowa, is to be offered for sale, through sealed proposals to be received until 3 p. m., eastern time, May 20, 1921, by the Quartermaster General of the Army.

Included in the sale will be approximately 1,200 buildings and improvements of various kinds, together with fixtures, etc. The buildings include barracks, officers' quarters, storehouses, stables, sheds, lavatories, hospital wards, infirmaries, and miscellaneous buildings.

An inventory of the buildings, specifications for the sale, proposal blanks, and full particulars may be obtained upon application from the Quartermaster General, Munitions Building, Washington, D. C.

Mr. PARKER of New Jersey. Mr. Chairman, there is such a thing as spending the money of the United States, and there is such a thing as throwing away the property of the United States. I do not know what this camp cost. I know it will sell for but a slight percentage of what it cost. I know that the buildings are needed for hospitals now, and that hospitals provided for soldiers are not available, although we have them. I know that these buildings and these camps are the first things that will be wanted in case there is a sudden call for war, places where you can drill and train the troops.

I call your attention to the fact that there seems to be no talk about this sale or popular information about it, but the Director of Sales, in his office, acting through civilians, offers for sale a piece of Government property which, I think, is as essential to the defense of the United States as a fort. I therefore move to reduce this amount, \$118,000, and insert \$30,000 instead, so as to express the opinion of this House on that matter.

Mr. QUIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes out of order on a subject not directly pertaining to this bill.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. QUIN. Mr. Chairman, unlike my friend from Illinois [Mr. McKENZIE], I did not vote for the naval program of \$396,000,000, and, unlike him, I am not going to vote for this Army appropriation bill.

I can not see the necessity for this large expenditure of money under the circumstances that exist, with this Republic already burdened with such enormous debts. How could it legitimately be expected of the taxpayers of this country to come across with all this money in taxes, which can not be reduced unless the Congress of the United States starts with the enactment of reductions in such measures as these? All of the howls that we heard against Secretary Baker for not curtailing enlistments in the Army have subsided, and instead of having 150,000, which both sides of this House voted for, as the proper number of enlisted men, you come here at this late hour and ask for 168,000 enlisted men, and ask us to support it. You come out with a total appropriation of three hundred and thirty-one million seventy-two thousand and some odd dollars and eighty cents. I do not know what the 80 cents is for. [Laughter.]

Where will we stop? By this Army program and this Navy program together you have over \$700,000,000. The gentleman from New Jersey [Mr. PARKER] just said that we needed to retain a lot of buildings over here at some camp in Iowa, because we might need them if we soon have another war. In the name of Heaven, are we to stand up as in dread of war at all times? Are we as a peaceful people to be prepared on the high seas with the greatest Navy in the world and ask the American people to pay \$400,000,000 a year to maintain it and support it? Are we as a progressive people to ask for an Army costing \$331,000,000, together with \$2,000,000,000 of annual interest standing out against us, which the American people must pay in taxes, while in all corners of the Republic comes the cry to reduce taxation? How can we reduce taxation if we are going to maintain such an extravagant Army and Navy as this Congress is to-day authorizing?

Only 15 of us voted against that naval bill the other day, and from the way it looks on this Army appropriation bill it would seem as if there will not be a baker's dozen voting against it. In this hour of depression Congressmen speak of hundreds of millions of dollars as though it were a light thing. But the people who must raise the money to pay the taxes want to know where this money is going. Who is it that believes the American people demand an Army here with all this drove of officers that this bill contains to-day? This bill properly carries an appropriation for the National Guard of the United States. Our people are satisfied with a small Army and a good, substantial guard in each State of this Nation to maintain peace and order.

In my judgment, 100,000 men are all that this Congress ought to authorize, and all that we ought to appropriate for, and for my part I shall not vote for any bill that carries a dollar for an army over that.

The American people know that it is useless in peace times to talk about having this great burden placed on their shoulders. The people are familiar with the fact that we have in the United States more than 4,000,000 of well-trained young men to-day. The people know that it is not the business of the United States Army to go out and do what we call "Americanizing" every foreigner in this country by enlisting him in the Army and giving him an education. The people back home are getting tired of this taxation business, and particularly of this vocational education business that you have in this bill. They think it is not appropriate. The Federal Government should not bear any part of that expenditure. You already have your high schools and your normal schools and your agricultural schools and your agricultural and mechanical colleges and universities in every State of this Union to carry on that very same work, and here you are proposing to extend throughout the Army an extravagant system of instruction, with a horde of teachers and directors to do that sort of work in the Army.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. QUIN. No; I regret I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. QUIN. The expense is great, and the gentleman from Illinois is against that. Now, if he is against it, why is he in favor of this bill? No man can stand up and defend every item in this great bill that is before the House to-day, and if there is going to be a pretended reduction of expenses the Con-



gress should start in, in my judgment, at the most appropriate place, and that is the Army.

Why do we need this huge Army? Where is the danger coming from? Yonder across the sea the people are hungry. Over yonder in Germany they have no army, no navy, and no money. France is talking about invading German territory in order to make them pay the money owed. We had all supposed that their backs were broken. Instead of acting in good faith and saying to the world that we are not afraid to decrease our armaments, we are now told that we should have the greatest Navy floating in the ocean and a large standing Army, while the people of this Nation beg us to come forth with a program showing that we propose in good faith to disarm.

Shall we be well armed with pistols buckled around us and breech-loading shotguns on our shoulders, and at the same time tell the other fellow not to have even a Barlow knife? Do we propose to act in good faith and let our own disarmament proceed with that of the other fellow? Instead of having 168,000 men in the Army of the United States, and all the National Guard, in my judgment this bill should cut the Army down to 100,000 men and the requisite number of officers to officer and discipline that number of soldiers properly. If we proceed on the theory that we must keep up 168,000 soldiers in order to give jobs to all these officers that we have provided for in this measure, that may be a logical reason, but I can not conceive of any process of reasoning that would justify the American Congress in saddling on the taxpayers of America this great burden that we know will be an increasing one instead of a decreasing one. Twelve months from now instead of calling for a reduction in this number the Congress will call for more. Instead of it being 168,000 they will slip it up to 180,000, and next time they will slip it up to 200,000 in the next Congress. Then, in this very measure they have these civilian training camps, that go to every school in the United States. You pay already the salaries of these young men after they end their 12 months, giving them the pay of an enlisted man in these training camps, and if you keep on in three years from now this bill instead of being \$331,000,000 will be \$500,000,000 annually. We can not afford to postpone our own disarmament plan while the country is groaning under the tax burden already existing. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment to the amendment offered by the gentleman from New Jersey [Mr. PARKER].

Mr. GARRETT of Tennessee. Mr. Chairman, may we have the amendment reported?

The CHAIRMAN. The Clerk will again report the amendment, without objection.

Mr. GARRETT of Tennessee. May we have the original amendment reported and the amendment to the amendment?

The CHAIRMAN. Without objection, the Clerk will read both the amendment and the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR: Page 2, line 17, strike out the figures "\$75,000" and insert "\$168,000." Also strike out the figures "\$40,000" and insert "\$118,000."

Amendment offered by Mr. PARKER of New Jersey to the amendment offered by Mr. MACGREGOR: Strike out in the amendment "\$118,000" and insert in lieu thereof the figures "\$30,000."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the original amendment offered by the gentleman from New York [Mr. MACGREGOR].

The amendment was rejected.

Mr. BEGG. I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, for a number of days we have been listening to speeches on disarmament and reduction of naval programs, and now comes the same thing with reference to the Army.

There is no difference of opinion about the ultimate goal to be arrived at, I take it. The whole difference of opinion comes on the question of the right time to do the thing. Men on the Democratic side seem to be particularly solicitous that the undertaking be started right now. The gentleman from New York [Mr. COCKRAN] has made three very eloquent speeches on the subject of disarmament. It has been my good fortune to listen to all three of them, and to-day I do not know whether he is in favor of disarmament or in favor of armament. [Laughter.]

I want to call the attention of gentlemen on this side of the House that if we are sincere on the question of disarmament we will undertake to do the job when there is some likelihood of success. Does it not seem rather unreasonable to expect England, Italy, and France to agree to a proposition to under-

take to disarm or reduce their naval appropriations and expenditures right during the very hour when they are trying to get Germany to agree to the reparations outlined in their treaty that they have already signed and agreed to with Germany? Until that time comes I am one man who will do nothing in this House by any action or vote of mine that will in any way undertake to slow up the possibility of a settlement in that country over the question of reparation.

The gentleman from New York [Mr. COCKRAN] made a great and eloquent plea that business conditions would be restored if we could just cut down something like \$100,000,000 or \$200,000,000 or \$300,000,000 in the naval bill. Why, my good friends, if we saved and did not spend one dollar for the Navy, the amount of taxes that would be left off next year in our taxing program would not start one single factory in this country, and the gentleman from New York knows it and every other man knows it. The thing that is at the bottom of the financial depression in this country fundamentally is not the question of high taxes because of the Navy or Army that we are starting to build up and maintain for the future. It is the logical result of the disastrous war that has been in existence for the past five years. That condition of depression would be with us to-day even though we did not spend a dollar for the Army or the Navy. The interest on the debt that has already been piled up—whether wisely or unwisely piled up it makes no difference, for it is there and must be paid—that interest alone will not decrease until some of the principal is paid.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BEGG. I will gladly yield for a question.

Mr. BANKHEAD. From the gentleman's statement I understand his theory to be that by cutting down appropriations of enormous sums you do not thereby necessarily reduce taxation.

Mr. BEGG. That is not what the gentleman said or meant to say, and the gentleman from Alabama knows that is not what he said. The gentleman said if we were to cut out the whole appropriation for the Army and the Navy it would not be a drop in the bucket on the interest that we have to pay on the debt already piled up, and would not restore business, and the gentleman from Alabama and every other man knows that it would not.

Now, we have heard much talk that 80 or 90 cents of every dollar of public money that we have expended have been expended for the Army or the Navy, wars past and wars to come.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SANDERS of Indiana. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the time of the gentleman from Ohio be extended five minutes. Is there objection?

There was no objection.

Mr. FISH. Will the gentleman yield for a question?

Mr. BEGG. I will gladly yield to the gentleman for a brief question.

Mr. FISH. Does the gentleman mean to insinuate to this House that a saving of \$700,000,000 will not help business?

Mr. BEGG. In reply to that I will say that the interest on \$700,000,000 if saved would not help business to any appreciable extent when we have to pay the interest on \$26,000,000,000 plus \$10,000,000,000 that we are carrying for foreign countries, which amounts have been piled up on us.

Mr. FISH. In other words—

Mr. BEGG. I am sorry, I can not yield further. I started on the proposition that it has been repeatedly said that 80 or 90 cents of every dollar appropriated goes to pay for wars in the past and wars in the future. I made a mental calculation—little more than a mental calculation—as to the amount of money that has been appropriated when this bill will have been passed for war purposes in the future as well as in the past, and it is less than 12 cents on the dollar within two years after the close of the war, when nobody knows what the conditions are in Japan, when nobody knows what the conditions are in Russia, and nobody knows what the conditions may be in the whole of greater Europe inside of a period of a few months. Right in the face of impending world trouble do you want to cut down the appropriations to nothing?

Now, I want to ask the men on this side of the House and men on that side, Where does the balance, the 62 of the 80 cents go—to whom does it go? It goes to the men who made this country a United States in 1861-1865. It goes to the American soldiers, your fathers, who were the first people on the face of the globe to ever carry the flag to other countries in the defense of a downtrodden people when they were prompted by no motive whatever of self-aggrandizement and who, in addition to giving them their liberty, extended to them the benefits of education and training in self-government a few years and

then set them free; and as a part of the possessions of that country of which they came in control during the war they paid to the conquered country more than the value of the possessions and stand ready to-day to spend millions of dollars in bringing them out of the darkness into the light of civilization, stand ready to-day to turn them loose as a free and independent people whenever the time has arrived that they believe they are able to go it alone.

Ah, yes, men, a big portion of the 62½ cents of every dollar goes to the veterans of this war. And who is there, I will ask you, that will take away from the veterans of the World War that assistance? They are the defenders of progress, the givers of civilization, the blazers of the trail through the dark forests of ignorance. It was our fathers that fought for American independence, that gave to the human family the world round the benefits of the modern civilized world, even the physical benefits as well as the liberties that we are now enjoying. [Applause.]

I would ask in conclusion, where is there a man who will refuse to pay the debt we owe to those who have gone before and made it possible to have our country, that guarantees to the individual religious freedom, civil liberty, and property rights—the three things that have made the human being go from the age of wax candles and tallow dips to the electric light, who transferred us from the days of the stage coach to the Pullman car, automobile, and airplane, who changed us from the age when the manufacturing was done in the blacksmith shop, by the the spinning wheel and the hand loom, until to-day we have great, giant industries pouring forth more of those products going to make the human family happy in one hour than the whole human family could have manufactured in a hundred years? [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WINGO. Mr. Chairman, during my association in the House with the gentleman from Ohio [Mr. BEGG] I have learned to have not only a very high regard for his charming personality but also a great deal of respect for his strong intellect. However, I can not follow him on this occasion. I confess I was charmed with the beauty of his peroration, but I was astounded by his premises and shocked by his logic. [Laughter and applause.]

He stated that the reduction in the expenditure by the Federal Government to a sum equal the expenditures provided for by both the Army and the naval bills would not affect the economic and financial condition of the country. I hope my friend will avail himself of his privilege and cut that statement out of his speech before he puts it in the Record.

Why, Mr. Chairman, the first start in reducing the high cost of living is to reduce the high cost of government. There are certain things that are basic and fundamental in the economic life of the American people. These basic things are first of all taxation, then the price of credit; that is, the interest rate, next the cost of transportation—freight rates; next the cost—and I speak relatively of all these things—the cost of steel, coal, and other basic commodities. Now, how can the American Congress preach a reduction in these other fundamentals when the Government agencies refuse to do its part in making one of the basic reductions, and that is in the cost of government?

Now, gentlemen, we have to face this proposition or quit talking about economy and actually economize, or else we ought to stop blaming the American people, insisting that they indulge in thrift and practice economy. I do not know, and I do not claim to be an expert in expenditures for the Army and the Navy, but I do not think it takes an expert to recognize the fact that something is radically wrong with the policy of this Nation when all the rest of the world is bankrupt, when all the other great nations must come to us on bended knees begging for raw materials, for the very necessities of life, and for the basic materials with which they must rebuild their war-devastated economic structures, that this Nation should by its annual appropriation bills burden the American people with a sum for military establishments almost equal to the entire cost of maintaining our Government a few years ago.

Mr. Chairman, you may call it an idle dream if you will, you may ridicule the logic, and say you do not understand the conclusions of the gentleman from New York [Mr. COCKRAN], but he has put his finger on the controlling factor, and that is this: No longer can the taxpayers of the earth stand the present gigantic load of taxation for the support of military and naval establishments, and unless something is done to relieve them of that load you are going to destroy stable government, destroy economic stability, and all those things that constitute the very civilization for the support of which it is contended military establishments are maintained. [Applause.]

Gentlemen may say that it is folly to dream of the day of universal peace, but that day must come. We will reach it finally, either through the exercise of common sense and the mobilization of the moral forces of the earth, or we will reach it by sailing through a sea of blood to the port of exhaustion. There are two schools of thought in this country, two schools of statesmen. One is composed of the men of faith, who say they believe that the civilization of the world has progressed to that point where the peoples of the earth through their chosen leaders can sit down and by common agreement do something to reduce the awful load of governmental expenditures that are made and laid out for the maintenance of their military establishments. These men believe that the civilization of the earth has sufficiently advanced where it is possible, at the same time maintaining the absolute independence of each nation, to send the nations of the earth to the courthouse of nations to settle their disputes, just as the citizens of a county are required to go to the courthouse of the county to settle their disputes instead of arming their sons and having them meet on the common and shoot it out.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. On the other hand, you have the other school of statesmanship, which is the cynical school. That is the school which says that our civilization is nothing but an outward show, a veneer, a sham, a mockery; that the lust of battle is still strong and the controlling passion in the human breast; that there always have been wars and that there always will be wars; that the only way to maintain peace is to turn each nation into an armed camp and make preparations for the next struggle the chief concern of each nation's people; that the arbitrament of the sword is the only way to decide international disputes; that the rule of justice and fair play and accommodation between the nations of the earth is impossible; that it is a question of the survival of the fittest; and that each nation must at all times be on a war footing and ready to go down to the field of battle.

Mr. Chairman, I do not know what each and every man may say as to why we entered the last war; I do not know what conclusion impelled each Member to vote for war, but after all there was one common thought which was crystallized during the conflict, and that was that one of the prime purposes of this war was to destroy militarism.

It was with that faith, it was with that ideal that we fired our soldiers in the training camps of the country and sent them beyond the seas to fight on foreign soil; and yet sometimes I think when some of these appropriation bills for the Army and the Navy are under consideration, what a tragedy it would be, the irony of fate, if this Nation should fall a victim to the very militarism to destroy which we so freely gave of our blood and treasure. [Applause.]

Mr. MCKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Pardon me, but I wish to conclude. I have great faith in the ultimate judgment of the American people. Now that the political campaign is over and the partisan passions of the hour are dying away they are slowly but surely realizing that, in spite of the declamations of the demagogues and partisans to the contrary, we are a part of the world and can not escape the fact, whether we like it or not, that our peace and economic tranquillity are interwoven with that of the world, and therefore we have a selfish interest in maintaining the peace of the earth, and have the right to insist that all nations join us in putting an end to the mad, unbearable race of competitive armaments and in substituting the rule of justice for brute force. Let the demagogue rant, the partisan rave, and the cynic sneer, but civilized nations in the exercise, and not a surrender, of their sovereignty are going to establish some plan to prevent war and maintain the peace of the earth. It matters not what you call the plan—League of Nations, association of nations, or something else—the war-weary, tax-burdened peoples of the earth are going to insist on it. Daily thoughtful men and women, sick of the horror of war and staggering under the crushing load war has placed on their weary shoulders, are praying a common prayer, that in the fullness of time will be answered, and that prayer is, May the God of our fathers hasten the day foretold by the prophet of old when the spear shall be turned into the pruning fork, the sword be beaten into the plowshare, and men shall learn the art of war no more forever. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I move to strike out the enacting clause of the bill. In its present form I can not sug-



port the proposed bill. Unless in the course of these deliberations it is greatly reduced in the amount of appropriation it carries and in the number of men authorized under it for a standing Army for the next fiscal year I have no hesitation in voting against its passage. I believe that this conclusion is based upon reasons of sound public policy at this time. In this bill you are proposing a standing Army of 168,000 enlisted men and an authorized officer personnel of 17,000 men. In my judgment that authorization in the present posture of national affairs is absolutely unjustified. You are asking us to pass on to the American people in this bill an appropriation of \$330,000,000 to be paid out of the toil and energy and sacrifice of the American people to sustain an Army of those tremendous proportions. I ask the gentleman in charge of this bill, I ask the proponents of this measure on this floor, what is the international or domestic situation with which America is confronted that justifies an expenditure of those proportions for the maintenance of this burden at this time upon the American people?

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. In a moment.

Mr. GREENE of Vermont. I did not know whether that is a rhetorical question or whether the gentleman wants an answer to it.

Mr. BANKHEAD. Very well. What is the reason?

Mr. GREENE of Vermont. We are not attempting by this bill to prepare a defensive Army. It is a training Army. Nobody pretends that these numbers are sufficient for national defense.

Mr. BANKHEAD. I had heretofore had the idea that a standing army was maintained by a Government primarily for defensive purposes in the event it should be attacked, and that the size of a nation's army was commensurate with the probability of aggression against it.

Mr. GREENE of Vermont. Ah—

Mr. BANKHEAD. Oh, I do not yield to the gentleman to make an argument in my time, because it is too limited. I want to address this question to the Congress of the United States: What is the international menace that confronts us which justifies this burden? I listened to the gentleman from Illinois [Mr. McKENZIE] when he said we ought to have an Army of 170,000 men, and I thought he was going to give us some reason to justify the conclusion; but his argument was that in the days of the Mexican War we had no motor vehicles and no airplanes and that now we have those things and we must furnish the men to run the motor cars and the airplanes.

If you will read the speech of the gentleman in the Record to-morrow, you will see that is the basis of his justification for this expenditure. Are we afraid of England, gentlemen of the House, at this time? England who has just emerged from the horrors of a great war that decimated her manhood and destroyed her productive energies, and who to-day is burdened with grievous and distressing domestic problems and perils, our brothers in blood and in commercial relations? Are we afraid of France, our traditional ally, afraid of our late ally in the war? Why the very suggestion of the probability almost has a semblance of blasphemy. Of Japan? Oh, the yellow peril that we perennially hear so much about and that we have been hearing so much about for the last 20 years; a little 60,000,000 people with restricted territory, with restricted productive energy, with limited national credit. For some imaginary reason the people of America are told that if they do not watch out some morning before breakfast we are going to be gobbled up by the hordes of Nippon. Germany, prostrated; Russia, paralyzed. There is your international situation, gentlemen. And yet by this bill you want to put upon the already overburdened people of America a debt they have got to pay out of their energies and out of their taxes, \$330,000,000. In the naval bill passed day before yesterday, with only 15 Members on this side registering their protest against it, was carried \$400,000,000 more—\$730,000,000, gentlemen. Do you for a moment appraise what that means when passed on to the backs and homes of the productive energies of Americans? It is time that you should stop and think about it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. May I have five minutes additional?

The CHAIRMAN. Is there objection?

Mr. ANTHONY. Mr. Chairman, I do not intend to object to the granting of the time in this instance, but hereafter I think gentlemen ought to confine themselves to the rule of debate under the five-minute rule.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BANKHEAD. Seven hundred and thirty million dollars in those two bills—not for any purpose of production, not for the stimulation of any legitimate furtherance of prosperity and peace and happiness of this country, not for the building up of our public highway system, which needs so much assistance at this time; not for the purpose of education, not for the purpose of promoting agriculture, not for the purpose of increasing the social and domestic welfare of the country, but every dollar of it absolutely to be spent for purposes that ultimately mean the destruction of life and property, or the destruction itself of the appropriation, sustaining in absolute idleness—and I do not say this in criticism—the young men of America who enlist in the Army and Navy of the United States, for they toil not and neither do they spin. Ah, the gentleman from Vermont says we are keeping them and paying this tremendous sum of money for training purposes, and that is an accurate statement, I imagine, for the modern conception of the Army of the United States; and that is all it is, because that is the tribute we are paying to the new theory of our Army in this country. You gentlemen on that side are responsible for legislation to the American people. You have promised them retrenchment in expenditures. If there is any one thing the business men of America and the laboring men of America and the people of intermediate stations of America to-day are earnestly desiring above all things it is to get the Government of the United States and these expenditures, with the resultant taxation, off of their backs and off of their productive energies. You promised to give it to them and went before the people of the United States on the promise of economy, and that is one of the planks of your platform. I want to say if your appropriations for the Army and Navy bills are samples of your retrenchment you are making a sorry start in carrying out your promises made to the American people. There is but one way to retrench. The significance of the word means to cut out. There are certain things in this country, definite and unescapable taxes, we have got to bear, like the interest on the public debt, the taking care of our soldiers and their wives.

There are some things which we can not escape, which are fixed, determined; but there are certain others of legislation that involve congressional discretion and judgment, and this is one of them. This bill and the naval bill, as a matter of fact, are the only large fields of possibility for the exercise of any considerable economy upon the part of the American Congress, and instead of doing that and carrying out your platform you propose to pass a bill, and you will pass it, proposing, instead of 150,000 men, nearly 170,000 soldiers in the Regular Army of the United States for the next fiscal year. Is that economy?

Mr. KAHN. Will the gentleman yield?

Mr. BANKHEAD. I will yield.

Mr. KAHN. Does the gentleman recall that the last administration sent to the House an estimate for an Army of approximately \$699,000,000, and this side of the House has cut it down more than one-half? [Applause on the Republican side.]

Mr. BANKHEAD. I imagined possibly some man on the other side might undertake to draw some parallel between the last administration and this, but I want to say to the gentleman that as far as I am personally concerned I shall extend every legitimate cooperation to the present administration.

Mr. GARRETT of Tennessee. Will the gentleman from Alabama yield?

Mr. BANKHEAD. Yes.

Mr. GARRETT of Tennessee. Will the gentleman yield in order that I may ask the gentleman from California if he personally favored cutting down the estimate?

Mr. BANKHEAD. Just answer that.

Mr. KAHN. If I favored—

Mr. BANKHEAD. If the gentleman personally favored cutting down the estimates?

Mr. KAHN. Oh—

Mr. BANKHEAD. Categorically, answer it yes or no.

Mr. KAHN. I do not propose to answer it the way the gentleman wants me to answer it, but I propose to answer it in my own way. In the second session of the last Congress we cut down the estimate—I was chairman of the committee—from \$992,000,000 to \$393,000,000. [Applause on the Republican side.]

Mr. ANTHONY. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. ANTHONY. I move to strike out the last word.

The CHAIRMAN. There is an amendment already pending. The gentleman can speak in opposition to that.

Mr. ANTHONY. Mr. Chairman, this side of the House has listened to the lecture of the gentleman from Alabama [Mr.

BANKHEAD] on the necessity for economy, and I think at this juncture a few figures would be illuminating as to what this side of the House has already accomplished in the direction of practical economy in its appropriation bills.

I want to remind the gentleman from Alabama that his administration recommended to this Congress an appropriation of \$690,000,000 for the present Army bill that we are considering to-day. We have reported it out at \$331,000,000, proposing to save over 100 per cent alone in this one bill, as the gentleman from California [Mr. KAHN] has pointed out. We propose to save \$117,000,000 in this bill over what the Army has cost us for the current year. There is more real economy and a greater saving in this bill than in any other piece of legislation Congress has so far considered.

In the naval bill the gentleman's administration asked for a total of \$679,000,000 for the Navy for the next fiscal year. This House yesterday appropriated \$396,000,000 for that purpose, a saving to the people of nearly \$300,000,000. The gentleman's administration a few months ago asked for \$35,000,000 for fortifications in this country. This side of the House gave \$8,000,000 for that purpose, a saving to the country of nearly \$28,000,000. And out of a total of \$1,413,000,000 which the gentleman's administration asked for for military and naval purposes, this Congress has voted, or will vote, not to exceed \$735,000,000 for the next fiscal year, a saving of the stupendous sum of nearly \$700,000,000 for military activities alone over the immense sums asked for this purpose by the previous administration.

Mr. KAHN. Is it not a fact that when the Army bill was passed by the last Congress the President refused to sign it because the amount was not big enough?

Mr. ANTHONY. That is true.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. GARRETT of Tennessee. Is it true?

Mr. ANTHONY. I have every reason to believe it is true.

Mr. GARRETT of Tennessee. Why?

Mr. ANTHONY. Because Secretary Baker and other officials representing the administration appeared before the committee and asked for more money than we gave them.

Mr. GARRETT of Tennessee. My understanding is that the only difference now is that Secretary Weeks comes down with Gen. March, whereas Mr. Baker formerly came down with him. Is that correct?

The CHAIRMAN. The gentleman's time has expired. All time has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. ANTHONY] may be given two additional minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the time of the gentleman from Kansas may be extended two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. I would like to ask the chairman of the committee if it is not also true that the previous administration immediately at the conclusion of the late war asked for an Army of 529,000 men?

Mr. ANTHONY. Five hundred and seventy-six thousand men.

Mr. JOHNSON of South Dakota. Five hundred and seventy-six thousand men and compulsory military training in addition to that?

Mr. ANTHONY. And this bill carries 168,000 men.

Mr. JOHNSON of South Dakota. Yes.

Mr. ANTHONY. And let me say, in addition to that, the former administration vetoed the Kahn resolution, which attempted to limit the Army to 175,000 men.

Mr. GARRETT of Tennessee. With the approval of Mr. Kahn?

Mr. ANTHONY. I do not know about that.

Mr. MADDEN. And under the recommendation of the Democratic Party, just gone out of power, for an Army of 576,000 men and universal military training, there was \$1,500,000,000 of expenditure to be added.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word.

There has been a rumor running about the corridors of the House that at some time during the consideration of this bill an amendment would be offered which would in effect provide that the President of the United States should withdraw the troops now in Germany. Can the gentleman from Kansas [Mr. ANTHONY] or any other gentleman on that side inform us whether such an amendment is to be offered?

Mr. ANTHONY. I have heard of no such amendment.

Mr. GARRETT of Tennessee. Of course the only purpose that could be possible for the passage of what is called the peace resolution would be the withdrawal of troops. That is all it may effect, I presume. It might be done upon this bill, might it not?

Mr. ANTHONY. I will say to the gentleman that this bill is framed upon the supposition that the Army of occupation will be withdrawn from Germany.

Mr. GARRETT of Tennessee. Well, when?

Mr. ANTHONY. At the earliest possible opportunity. I have heard nothing to the effect that it would not be.

Mr. GARRETT of Tennessee. Will it be immediately after the passage of the resolution?

Mr. ANTHONY. If the Secretary of War is to administer the Army under the amounts that are appropriated in this bill and under the terms of the restrictive amendments, he will have to pull our troops away from Germany; he will have to reduce the number of our troops that are stationed in Hawaii, the Canal Zone, and many of our outlying possessions. He will have to take the ax and chop out or chop down arbitrarily many of the items of expense that have heretofore existed.

Mr. GARRETT of Tennessee. Why particularly in regard to Germany?

Mr. ANTHONY. Because in order to bring the Army down to the size that this bill creates and provide enough men for home garrison and training purposes we will have to pull in troops that are being used outside the territorial limits of the United States.

Mr. GARRETT of Tennessee. Do I understand the gentleman—let us not have any misunderstanding at all about it—that it means, if this bill passes, that at the beginning of the fiscal year, in next July, all the troops will be withdrawn from Germany?

Mr. ANTHONY. Oh, no. We do not know positively in regard to it, but we are going on the supposition that they will be; that we are going to have peace, and that there will be no necessity for their further continuance over there.

Mr. GARRETT of Tennessee. Well, the gentleman says "no necessity for their further continuance." Why?

Mr. ANTHONY. I understand they are there now under the terms of the armistice.

Mr. GARRETT of Tennessee. Is that predicated on the supposition that the resolution declaring the war at an end is passed?

Mr. ANTHONY. I think that is a part of the program.

Mr. FISH. It would not necessarily mean that they should be withdrawn on account of the Knox resolution going through?

Is it not a fact that they have been there 30 months already, and that the war has been over for 30 months?

Mr. MADDEN. It has not been over with us. We are technically still at war.

Mr. FISH. Yes; technically, but the war has been over for 30 months.

Mr. GARRETT of Tennessee. That does not depend—

Mr. FISH. It does not depend at all on the resolution. It depends on the action of Congress.

Mr. GARRETT of Tennessee. There is no reason appealing to the gentleman from New York why the present President of the United States should not have withdrawn them on the 4th of March.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. HILL. Is it not true that the troops are on the Rhine holding territory under the terms of the armistice, to which the United States is a party; is not that true?

Mr. GARRETT of Tennessee. It is true. I congratulate the gentleman on his accuracy of recollection. [Laughter.]

Mr. FISH. And is it not true—

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FISH. Is it not true also that these troops in the army of occupation are there at the expense of the American taxpayers?

Mr. GARRETT of Tennessee. I do not know about that. I understand that Germany, under the terms of the armistice, is paying the expenses of the maintenance of our troops.

Mr. FISH. I understand that Germany owes this country for the maintenance of those troops in excess of \$250,000,000.



Mr. GARRETT of Tennessee. Will the gentleman please repeat his statement?

Mr. FISH. I understand that the German Government owes the taxpayers of this country—our Government—\$250,000,000 for the maintenance of those troops in the army of occupation.

Mr. GARRETT of Tennessee. Well, are you going to collect it by withdrawing the troops? [Laughter on the Democratic side.]

Mr. FISH. We are not going to spend any more by keeping them there.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. JOHNSON of South Dakota. I would like to ask my friend if he is objecting to the fact that these troops are now in Germany on the Rhine?

Mr. GARRETT of Tennessee. No; I am not. Does the gentleman think they should be withdrawn?

Mr. JOHNSON of South Dakota. I am asking the gentleman, so that I can understand the reasons for his attitude in this discussion. [Laughter.] I was trying to find out whether the gentleman was objecting.

Mr. GARRETT of Tennessee. I am not objecting to the troops being there. I do not believe that it will be safe for this country to place itself in the position, until it has made terms of peace, of withdrawing those troops. [Applause on the Democratic side.] Does the gentleman think so?

Mr. JOHNSON of South Dakota. I think the gentleman and I are now getting on common ground. The gentleman has asked me the question. As a matter of fact, I think it is something that would have to be determined—the question of the removal of these troops would have to be determined—by the military situation abroad.

Mr. GARRETT of Tennessee. Oh, but, if the gentleman will permit, when we make peace, when we pass a resolution declaring peace, immediately you are bound to withdraw your troops. You can not make terms then.

Mr. JOHNSON of South Dakota. No; I do not think the gentleman is correct on that.

Mr. GARRETT of Tennessee. If you make peace, if we are not at war, how can you fix terms?

Mr. JOHNSON of South Dakota. Those terms were fixed by the armistice.

Mr. GARRETT of Tennessee. Oh, but you are wiping out the armistice if you pass the resolution.

Mr. JOHNSON of South Dakota. Oh, I can not agree with the gentleman that you can wipe out by the action of this Congress the terms of an agreement made by the Government.

Mr. GARRETT of Tennessee. If Congress can not do it, why act upon it at all?

Mr. JOHNSON of South Dakota. The President might do it, but the Congress of the United States by the passage of this resolution can not do it.

Mr. GARRETT of Tennessee. Why not leave it to the President?

Mr. JOHNSON of South Dakota. As a matter of fact, this whole argument results in nothing, unless it might be that the gentleman would state the policy of his party with reference to the withdrawal of the troops. [Laughter.]

Mr. GARRETT of Tennessee. Unfortunately our party is not in position now to make policies.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman permit a question?

Mr. GARRETT of Tennessee. I will.

Mr. GREENE of Vermont. I would like to propound this query to the gentleman: Your party is not now in position to have a policy. Did your party have a policy when your President was in a position to have one?

Mr. GARRETT of Tennessee. It certainly had.

Mr. GREENE of Vermont. What was it?

Mr. GARRETT of Tennessee. It was a policy—we might as well be frank about it—a policy which the Republican Party defeated. I would like to help the President out of the hole into which he thrust himself.

Mr. GREENE of Vermont. I wanted to relieve the gentleman of embarrassment. In as courteous a manner as possible I want to say to the gentleman that we want to relieve our colleagues on the other side from the consequences of what was once called a Democratic policy, with which they had nothing to do. [Laughter on the Republican side.]

Mr. GARRETT of Tennessee. Of course, we all know that the sole hope of the gentleman's party now, notwithstanding its great majority—we all know that its sole hope for the future is dependent upon splitting a small minority on this side.

Mr. GREENE of Vermont. Oh, no. Its sole hope, I might say, in the future is very carefully averting and carefully

avoiding the errors that were committed on that side for eight years. [Applause on the Republican side.]

Mr. GARRETT of Tennessee. Mr. Chairman, I am extremely desirous of helping the President. I would like to know now, while we are talking calmly and quietly and without any politics [laughter]—I would like to know whether it is the purpose of the President immediately upon the passage of a resolution which he will approve—of course, he will not approve the resolution that is going to pass in the Senate to-morrow—if he meant what he said in his message delivered here in the House. Is it his purpose to withdraw immediately the troops after its passage?

Mr. MADDEN. I suggest that you ought to ask him. [Laughter.]

Mr. GREENE of Vermont. Yes. We have a President now that you can go to. [Laughter and applause.]

Mr. HERRICK. Would the gentleman answer one question?

Mr. GARRETT of Tennessee. Yes.

Mr. HERRICK. I want to ask the gentleman this question.

Mr. GARRETT of Tennessee. I am delighted to yield to the greatest intellect on the Republican side.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. The question is on agreeing to the motion of the gentleman from Alabama [Mr. BANKHEAD].

The question was taken, and the motion was rejected.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word. I wish to address myself to the chairman of the committee [Mr. ANTHONY]. On page 2, line 21, it is provided further that the Secretary of War is authorized in his discretion to sell certain war supplies to any State or foreign Government upon such terms as he may deem expedient. I understand that those war supplies can not be sold in the United States?

Mr. ANTHONY. I call the attention of the gentleman to the fact that that language has gone out on a point of order and is not now in the bill.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

#### GENERAL STAFF COLLEGE.

For expenses of the General Staff College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks, books of reference, scientific and professional papers and periodicals; printing and binding; maps; police utensils; for lighting the General Staff College Building and grounds; employment of temporary technical or special services and expenses of special lectures; and for all other absolutely necessary expenses, including \$25 per month additional to regular compensation to chief clerk for superintendence of the General Staff College Building; also for pay of a chief engineer at \$1,400, and assistant engineer at \$1,000, a carpenter at \$1,000, 4 firemen at \$720 each, an elevator conductor at \$720; in all, \$22,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. WARD of North Carolina. Mr. Chairman, I have views upon this question which I do not care to impose upon the committee at this hour, especially touching the contention made this morning by an exceedingly high authority that the proper course for this Congress to pursue is to build our armaments very high, to make our fortifications very strong, and our expenditures for these purposes very large until ascendancy over all the world has been attained, and then invite disarmament. To that question my remarks are mainly addressed. They will not greatly encumber the Record, and I ask unanimous consent to revise and extend them.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. McCLINTIC. I have objected to extensions by other gentlemen. The gentleman already has the right to revise.

Mr. CONNALLY of Texas. Other gentlemen have obtained the right to extend their remarks this morning.

Mr. McCLINTIC. I was not present when that was done. I shall have to object.

Mr. WARD of North Carolina. Then I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. ANTHONY. I think the gentleman ought to be satisfied with five minutes. I shall not object to that, but we ought to proceed with the consideration of the bill.

The CHAIRMAN. A point of order is reserved, and, of course, it is only by unanimous consent that the gentleman can speak at all. The gentleman from North Carolina asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. WARD of North Carolina. Mr. Chairman, in these early days of this extra session of the Congress called by the Presi-

dent to pass emergency relief for the economic distress of the farmers, and before the thirteenth day of its legislative activities has passed we have reached the second act in the drama of war and in the task of marshaling the forces of the Nation for its next solicited and coveted battle field. The ninth and tenth days of our legislative work were spent on the ocean wave, considering and debating the Navy appropriation bill. The debate on that bill was learned and exhaustive, strong in patriotism and animated with the popular catch phrases of American primacy and superiority—phrases as lightly calculated to catch applause in stately assemblies as in the less cultured crowds of the hustings—and it is noticeable to a new Member that applause thus captured is as much solicited and prized in the councils of the great as in humbler fields of oratory.

I would have supported the report of the committee with my vote on that bill without hesitation or misgivings if I had been present. It presented vastly different conditions from those presented by this bill.

First. It presented the conditions of a great and growing merchant marine, already floating the flag in every port—save those where war, grim-visaged war, still forbids it—of the civilized world, a merchant marine which is the pride of the Nation and which it is the Nation's hope will soon carry its trade to proportions hitherto unapproached. It is not unseemly nor improper nor out of keeping with the progress of Christian civilization that the ships of such an expensive and expansive merchant fleet should sail supported and assured by the safe defenses of a Navy in keeping with the needs which a much-disturbed world condition naturally suggests.

Second. It is altogether proper that long lines of seacoasts on which stand a dozen of the great cities of the world, where mighty monuments of wealth stand in easy reach of the ocean's fearful agencies of war, and where millions sleep unprotected from the reach of the dreadnaught and the torpedo of the airplane, should have an efficient Navy to protect from consequences so fearful, however remote. These are real conditions and truth, reason, patriotism, nor any phase of statesmanship can not evade them.

Third. There are shown to be unfinished plans of large proportions embracing the construction of ships of all kinds and classes, and other appurtenances of naval development, already contracted and in course of completion, and it did not seem wise to retrace these steps already taken in times and under conditions when nobody questioned their wisdom, breach the contracts, and make waste the things already done and the millions already spent.

I contemplated these conditions and sympathized with the committee bill to the extent of being willing to vote \$386,000,000 upon the taxpayers of the country, and that without assurance that a deficiency might not be created by the Navy Department after and beyond its exhaustion which a subsequent Congress would be compelled to supply.

As I did so, however, I was not out of sympathy with the gentleman from Ohio and of the gentleman from Alabama [Mr. HUBBLESTON], who for his unflinching guardianship of popular rights commands my highest admiration. With them I thought of the burdens of taxation lying with the weight of the upper millstone upon the citizenship I have left at home. I thought of the struggles out of which they have come. Fifty years have passed and still they are not entirely free from under the debts, the cruel debts, of reconstruction. They have builded schoolhouses by the thousand in the last two decades. In most cases the bonds issued for that purpose are still outstanding and held by persons far away who largely escape taxation, but never escape the benefits of armies and of navies, their cherished bulwarks of government. Courthouse construction, municipal improvements, and drainage development have literally laden the world's markets with their bonds, and yet with grim determination and with a spirit that never falters they have turned to the beginning of the task of covering the State with a system of highways at \$40,000 a mile—\$50,000,000 the initial step—and on and on this bonding must go until millions roll into billions, and the limit is God knows where. I saw them under this burden of taxation and yet I felt constrained to stand by the guns of the Navy to the tune of \$386,000,000 that there might be no question that my country was ready for war, and in obedience to the argument I do not myself believe that preparation for war prevents war.

I digress here to say that if there is not a halt speedily called in the indebtedness that popular bond issues and the cost of armament are imposing upon the world, the civilization of this age in which we live will absolutely fall beneath its burden, manifesting its collapse in repudiation, which is the first available step toward a reign of industrial terror and the setting up a sovereignty of absolute socialism. But, Mr. Chairman, the arguments made by the proponents of the Navy appropriation

bill, and now by the advocates of the pending bill, call for especial attention here and perfect understanding by the American people.

Those arguments in one particular feature constitute the most unfortunate sophistry, if not duplicity, in all the annals of political controversy. Stripped of its forecast of tragedy it would stand naked to the ridicule of the simplest mind. What is that argument? Pile up your armaments, cover the ocean with your dreadnaughts, and build up your standing armies until you have overawed and overwhelmed the world and then invite the world to disarm, and, as the learned and eloquent gentleman from New York [Mr. COCKRAN] said—and not only he, but gentlemen on the other side of the House—if they accept not the invitation, then command them to disarm, and compel them as the last resort. I picture the thunder rolling and the fires flashing on Mt. Sinai and the children of Israel at the foot of the mountain crying, "Let the Lord not speak to us lest we die." Mr. Chairman, the high source from which this argument proceeds is its only claim to respectful recognition. To first assume such an attitude is naturally to put us out of the pale of invitation. It assumes the character of command which invokes resentment. It assumes that the world will cower and cringe at our feet, like a worm under our heel. I take the opposite view. The world knows our strength; let us not vaunt it and display it at the expense of countless millions added to the burdens already laid on the back of industry and labor.

There is no threat of war impending now. There is no evidence of its possibility within the contemplation of him most easily alarmed within the scope of many, many years. There is a sentiment, and no more than a sentiment, excited by the jingo and the war agitator, and by him alone, that we stand in danger of war with Japan. I do not believe it is fit to excite respectable apprehension.

But as representatives of the people and for the mere sake of slavish representation let us respect it and obey its whims. What should be done to prepare for it? Not build up and maintain a Germanic standing Army and convert the factories of the Nation into arsenals and ammunition plants, but put the Nation in the physical condition to meet such emergency with the rapid onrush of a voluntary army. The United States can depend on a volunteer army to meet any possible phase of this ghost-like apprehension. The worst thing, the only thing, and all that could possibly happen in fulfillment of this chimerical suggestion would be the landing of an invading Army on the western coast and a successful march to the passes of the Sierra Nevada and the Rocky Mountains and holding back the millions of our citizen soldiers that at least would meet them there, giving a material advantage of battle ground to the invader. Whatever the military strategist may say, this I here and now assert to be the only real, material, and important unfinished point of military strategy involved in the defense and the necessary military science of our national life. I would not fortify these passes with forts and stationary guns. I do not believe it necessary. But I would have the guns and the means for the rapid construction of the forts available, and especially I would build roads paralleling these mountain ranges sufficient to turn the countless hordes of American soldiers toward them and enable the Army to reach the pivotal point, the strategic point, with the largest possible numbers in the shortest possible time.

But this bill is not a bill of preparation, of defense, and of strategy. It is imperial. It is monarchical. It is European. It is Russian. It imposes a burden of taxation on American industrial life as have the standing armies of Europe on the industries of that war-ridden Continent for 100 years. If America should adopt this policy now, it will only mean to indorse that course on the part of Europe in the past, and it will have the same effect that those armies have had there, to wit, cause every other nation to arm stronger and stronger and the newspapers to write and the jingoes ring out the tocsin of war throughout the hours until the clash comes, as come it always has from just such course. Arm the nations of this world and keep them at peace? Never! It is like concentrating the force of a torrent and attempting to build a dam of good intentions and Christian efforts to keep it back. If anything can be asserted in the philosophy of nations it is that armies create wars. Whether the cause is economical, political, or psychological I have not time to speculate. It is nevertheless a fact. What a departure it is from our past national life!

When the nations of the world were arming and marshaling around us in the years gone by before the war we were not alarmed. Our standing Army was below 100,000, and now when the nations are lying prostrate at our feet, their soldiers buried in recent battle fields, their armaments destroyed, their money exhausted, and their homes and markets blanketed in bonds they can not pay, we rise with a new spirit of war to



defend against the crippled, the exhausted, and the dead, and multiply our standing Army and the national debt on the very brink of the grave of the supposed enemy. It has but one explanation, Mr. Chairman, and that a cruel, a vicious one. It is the demand of capital and the hungry growl of the money lust, the same hideous type of devilment and of hell that has generated the wars of the past. By this lust of Mammon the propounders of this project are being deceived. They are honest men, but they are being deceived. Deception—sly, slimy, and ingenious deception—is the devil's strategy by which he proposes to maintain and enlarge his dominions as the prince of the powers of the air.

He favors war and he makes war by deception. Let us come to the crux of the whole matter and put the curbstone of the logic of history on this big army, this military preparation business. Arm America to the teeth and other nations will arm around about you. Industries proportionately the world over will diminish, underproduction and consequent necessary unemployment will follow. High prices increase in its wake; human suffering, hunger, nakedness, famine, disease, and ignorance grow bigger and blacker to the end.

And what is the end? Universal peace and progress? No, sir; the opposite! War, bloody war; the heritage of humanity and the penalty of sin. Carry out your policy, gentlemen. Make good your martial defenses in the name of peace; build up your fortifications, multiply your arsenals, and spread out your armies, and the fiercest blasts of the great furnace are yet to be lit; struggles more fearful than recorded in all the annals of the past will yet be fought, engines of destruction more fatal than science yet dreams of will yet be constructed and used in the work of death.

Arbela, Philippi, Marathon, Carthage, Austerlitz, Waterloo, Gettysburg, Ypres, Verdun, and the Marne will be but skirmishes to the great Armageddon in which the mighty powers of Mammon and lust and racial hate will marshal their agencies in final strife. [Applause.] And when their rivalries and antagonisms engendered through a few more years shall come together in moral, mental, racial, and political strife the earth will tremble as it has never trembled before. Broader battle fields than Europe must be found, for Europe is all too small for the marshaling of the mighty phalanxes that yet must be wheeled into line. There is one way to avoid it. It was written in the proposed treaty of peace. There is one Nation can prevent it now and only one, and that Nation is the United States, if she will do it now before it is everlastingly too late. [Applause.] To support this I submit no less authority than that of Secretary Hoover, whose words of wisdom, delivered at Stanford University October 2, 1919, before he became attached to the present administration. The language is as follows:

The treaties can not be carried out without the league. If the league fails, the treaties also fail. In that event civilization will be taken back to the Middle Ages. If we attempt to revise the treaty, we shall tread a road through European chaos. Even if we manage to keep our soldiers out of it, we will not escape fearful economic losses. A peace without us means more Army and Navy for us, with the old treadmill of taxes. For us to refuse to enter into a joint attempt with the well-thinking sections of a large part of the world to establish a continuing moral conscience against war is the utmost folly in our own interest.

[During the delivery of the foregoing the time of Mr. WARD of North Carolina was further extended one minute.]

The CHAIRMAN. Does the gentleman from Texas [Mr. BLANTON] insist on his point of order?

Mr. BLANTON. I will ask the chairman of the committee [Mr. ANTHONY] whether the extra \$25 provided for chief clerks is with authority of law?

Mr. ANTHONY. It has been carried in the bill right straight along. Whether it was in order or not was decided when the bill was up before, if I remember correctly.

Mr. BLANTON. Surely the gentleman knows that there is no law authorizing an increase. This is a statutory position, is it not?

Mr. ANTHONY. I do not think it is statutory.

Mr. BLANTON. The position of chief clerk is statutory, is it not? The salary is fixed by law, is it not?

Mr. ANTHONY. I am informed that it is not.

Mr. BLANTON. I am sure the gentleman would not make that statement if he were not correct, and I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

The Clerk read as follows:

#### CONTINGENCIES, MILITARY INTELLIGENCE DIVISION.

For contingent expenses of the Military Intelligence Division, General Staff Corps, including the purchase of law books, professional books of reference; subscription to newspapers and periodicals; drafting and messenger service; and of the military attachés at the United States embassies and legations abroad; the cost of special instruction at home and abroad, and in maintenance of students and

attachés; for the hire of interpreters, special agents, and guides; and for such other purposes as the Secretary of War may deem proper, including \$10,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$185,000; to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes, shall not apply to subscription for foreign and professional newspapers and periodicals to be paid for from this appropriation.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 4, line 4, after the word "abroad," insert the words "and rental of offices for such military attachés."

Mr. CRAMTON. Mr. Chairman, heretofore under the item "Barracks and quarters" the rental of offices for military attachés abroad has been provided for. This year the committee placed in that part of the bill a prohibition against the payment of rental for that purpose. It has developed since further information has been secured by the department and placed before the committee that it is not feasible to cut out that item entirely, but it has seemed better to put it in this section of the bill with military attachés than to restore it to the other section. Hence I offer this amendment to this section authorizing the use of funds for military intelligence for the payment of office rental for military attachés.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 4, line 13, strike out "\$185,000" and insert "\$200,000."

Mr. CRAMTON. Mr. Chairman, in connection with that I will state that for the current year the expenditure for this purpose was almost \$30,000, but the bureau has gone into it very thoroughly and can make reductions, and in view of that I am suggesting an appropriation of \$15,000 for this purpose. The item carried in the bill is \$185,000, and I am simply proposing to add \$15,000 for this particular purpose.

Mr. KAHN. Mr. Chairman, I offer a substitute—to make the sum \$300,000.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from California.

The Clerk read as follows:

Substitute amendment offered by Mr. KAHN for the amendment offered by Mr. CRAMTON: Page 4, line 13, at the beginning of the line, strike out "\$185,000" and insert in lieu thereof "\$300,000."

Mr. KAHN. Mr. Chairman, this country did not appreciate the importance of the intelligence work of the Army until the World War. At the time we entered the conflict we had two or three intelligence officers, all told. The duty of the intelligence officer is to keep the war establishment advised as to the activity of other nations so far as our intelligence bureau can advise our country. It requires numerous officers and employees to secure the information that is necessary to keep the country measurably prepared in its Military Establishment.

During the war we developed this intelligence service very materially. It was the military intelligence of the American Army that helped secure evidence and facts concerning the movements of the enemy that saved thousands of lives on the field of battle.

When I was in Europe shortly after the armistice I was told by a source I consider authentic that it was the intelligence work of the American officers that enabled us to learn of the intended German attack at the bend of the Marne, so that when they came down to that point by thousands we were ready. We met the German troops, defeated them, and turned the tide of war. In Switzerland we had intelligence officers who kept this country advised of the things the enemy was contemplating.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. JOHNSON of Mississippi. How many officers are engaged in that work?

Mr. KAHN. Very few. I have not the figures here, but as I recall there are 47.

Mr. JOHNSON of Mississippi. Will the gentleman state where they are located?

Mr. KAHN. All over the world at the present time, especially in the warring countries.

Mr. JOHNSON of Mississippi. The gentleman thinks that the number ought to be increased?

Mr. KAHN. I think the appropriation ought to be increased at this time, at this unsettled period of the world's history. It only means an increase of \$100,000, and they can probably save

hundreds of millions of dollars by information they can give this Government.

Mr. HUSTED. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. HUSTED. Is it not of special importance at the present time, in view of the many improvements in offensive and defensive means of warfare which this country ought to be kept advised of as to what is going on in those other countries?

Mr. KAHN. Exactly; I referred to a situation this morning that in my mind requires the best effort of the intelligence officers in the American Army. The fact that every other country in the world is having its intelligence service get everything they can from us in the way of what we are doing for military improvement should demonstrate to the House and to Congress the necessity for making reasonable appropriation for this very important branch of the service.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARRETT of Tennessee. The gentleman does not regard the amount proposed as reasonable, nor the amount proposed by the gentleman from Michigan?

Mr. KAHN. I do not think it is enough for this very important work. I am only asking for an addition of \$100,000. I think world conditions warrant an increase at this time.

Mr. GARRETT of Tennessee. Is there anything cryptic about that remark?

Mr. KAHN. No; there is not. I remember when I stood on this floor, when the national defense act was up for consideration in 1916, and said that I thought we ought to increase the Army to a total of 250,000 men. A number of gentlemen on the floor asked me who I expected we would have to fight? Was it England, Japan, or Germany? I said frankly I did not know.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that I proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KAHN. I said frankly I did not know. War comes out of the clouds, yes, from a clear sky most of the time. Within seven months of that time this country was at war. I say now I do not know how much more than \$300,000 is really required for this important work, but we do know that the whole world is off its balance, that things are abnormal; and I am simply asking for an additional \$100,000, believing that by appropriating that amount we will probably be able to save many million dollars.

Mr. HARRISON. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. HARRISON. Did the War Department indicate that this additional sum was necessary?

Mr. KAHN. Yes; the Secretary of War sent word to me yesterday that he would like to speak to me about this matter. He told me that in his opinion it was absolutely necessary.

Mr. GARRETT of Tennessee. Would it betray the public interest in any way if the gentleman should state whether that recommendation of the Secretary of War made to him personally was based on the thought that the resolution declaring peace would probably be passed within a few days?

Mr. KAHN. I do not know what the Secretary of War had in his mind. I do know that the officers of this Government are measurably informed of what is going on throughout the world at this time. In fact, it is necessary that they should be so informed. This additional \$100,000 is needed to help secure information. I think it is a very bad time to shut down on it.

Mr. GARRETT of Tennessee. In a short time we are going to have before the House a very serious proposition, practically a resolution declaring peace. I did not know but what we might know without betraying the public interest in regard to it if this is in anticipation of that.

Mr. KAHN. I do not know, nor do I know what the administration has in view regarding the matter to which the gentleman refers. But let me call the gentleman's attention to this proposition in world affairs. They change from day to day, from week to week. A situation that to-day seems perfectly clear may in a week from now be so uncertain that all of the activities of the Government might be directed toward the ultimate solution of that one proposition. We never can tell. As I have said, Mr. Chairman, the situation in world affairs at present is very serious. This will not materially increase the total appropriation. It is most important work. I can not tell the Members of the House really how very im-

portant and serious it is, but I sincerely hope that the amendment will be adopted.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the substitute. I am against the amendment to increase the appropriation to \$200,000, and, therefore, I am doubly against the substitute which would add to it yet another hundred thousand dollars. We all know exactly how our good friend from California [Mr. KAHN] feels on this subject. We know that he has been so alarmed ever since the armistice was signed that he had in his mind that it was absolutely necessary for this country to guard itself against problematical attacks that might be made upon it by every country in the world, that we should establish his pet scheme of universal military training in the United States, that we should take from every home and every fireside in time of peace in this land the young boys and put them into Army camps a certain number of months every year. To his astonishment, however, he found that even his colleagues on the Republican side of the aisle, some of whom preached great military preparedness, would not agree with him on that subject, because they began to hear from the mothers of the land who did not want their boys in military camps.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now.

Mr. KAHN. That is a false statement.

Mr. BLANTON. Oh, well, the gentleman is gray haired, and he may make that statement to me on the floor of the House, protected under the Constitution, but if he were my age he would not do it on the outside.

Mr. KAHN. I asked the gentleman to yield to me, for I wanted to explain the situation and tell him the truth.

Mr. BLANTON. If the gentleman had asked me in a proper way, I would have yielded, but he resorts to an improper way. Whenever you face him with the facts he gets mad.

Mr. KAHN. Oh, no.

Mr. BLANTON. I respect his age, and I yield to him if he wants to be heard. I will be more kind to him than he was to me.

Mr. KAHN. Oh, no. I wanted to tell the gentleman—

Mr. BLANTON. Oh, I yield for a short explanation; but please do not take all of my time.

Mr. KAHN. I wanted to tell the gentleman that the majority of the Committee on Military Affairs agreed with the proposition of universal training.

Mr. BLANTON. Yes; but the House did not.

Mr. KAHN. It never got before the House.

Mr. BLANTON. The gentleman can not find 100 men in this House who would subscribe to his doctrine of universal military training in peace time, because their seats are at stake, and the mothers of this land would see to it that they were left at home at the next election if they espoused any such monkey business. The gentleman was not able to get his plan of universal military training before the House. It was all right for Germany to have a military intelligence office, where they would have their secret spies in the capital of every nation in the world. Germany was a military Government and her whole future plans depended upon military domination; but we are not a military Nation. Our hopes are not founded on militarism. They are founded on peace; they are founded along peaceful lines and peaceful pursuits. Three hundred thousand dollars for intelligence officers! Here we are providing, according to the very best judgment of our splendid committee, which has investigated the matter, \$185,000 for that purpose in this bill. Yet the gentleman from California [Mr. KAHN] seeks to increase it to \$300,000. Where would you find men of greater judgment than the men who have already passed on this measure? Where will you find any man in this House who has better judgment than the distinguished chairman of this subcommittee [Mr. ANTHONY], who brings this bill before us? Let us defeat this substitute and support the committee.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. CROWTHER. I object.

Mr. BLANTON. Well, there will not be any more extensions, I will tell my friend from New York, if he can not let me have two minutes when I gave some of my time to the distinguished gentleman who interrupted me. I will say there will be no more extensions granted.

Mr. GREENE of Vermont. Mr. Chairman, I shall renew the objection if the gentleman from New York does not insist upon it. If this House is going to be held up by threats, then we all ought to go home.



Mr. HILL. Mr. Chairman, I rise to speak in favor of the substitute amendment offered by the chairman of the Committee on Military Affairs, the gentleman from California [Mr. KAHN]. I think if the gentleman who has just spoken had had any practical experience as to what war means, he would not be against giving to the defenses of the United States proper eyes and ears. There is involved in this bill an expenditure of \$330,000,000, and the only point before the House at the present time is the allowance of \$300,000 for military intelligence. I would say to the gentleman who has just spoken that at the present time in this current fiscal year Great Britain is appropriating for a similar purpose \$1,790,000, France is expending \$3,903,000, Japan 1,000,000 yen, which is equal to \$500,000, also borrowing from the war office intelligence fund, and nobody knows the size of that fund. One hundred thousand dollars extra is not a matter of importance in the way of saving on a bill of this sort. The Secretary of War has asked for \$398,000, in order to have a personnel of 45 officers and 144 civilians, who are translators, typists, and so forth, and 43 military attachés. The general staff service of an army consists of three things—coordination and supply, intelligence, and operation. You can not do anything with your Army, no matter how magnificent it is, unless it has proper information, and \$300,000 for that purpose, in view of the amount appropriated in the bill, is a trivial sum, \$98,000 less than the sum the Secretary of War has asked for. I therefore speak strongly and urge this House to adopt the amendment proposed by the chairman of the Committee on Military Affairs.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word. Mr. Chairman, it seems to me that a great deal of the argument which in these days is directed against the annual military appropriation bill, couched in rhetoric that is a part of the reaction from the great World War, probably, might be likened to a state of circumstances that could be realized in many of our home towns. For years and years by taxation and the exercise of some gentle public spirit we maintain a little fire company. Nothing happens. The fire company turns out on Memorial Day and that is about all there is to it, perhaps. And then some day comes a fire—quite a big fire, maybe—and the fire company does the best it can under the circumstances. As soon as the fire is cleared up, then the village trustees get together, and after argument, just about as you hear on the floor now and have heard for the past two days, they resolve: "We have had out fire at last; therefore let us burn up the hose house and disband the hose company. We shall need them no more."

Just as the chairman of the Committee on Military Affairs has said to us, war is the most uncertain factor we have to reckon with in the policy of our public affairs from year to year, and it almost always comes out of a clear sky. Nobody knows who the next enemy is to be or when he will show himself.

Now, there is a phase of the activities of the military intelligence section which does not seem to have been touched upon in the debate so far that I would like to discuss with you if I can briefly sketch it in the two or three minutes of time which remain to me.

I think the popular mind conceives the activities of the military intelligence section as an agency to be employed in the field of war during the period of combat or hostilities, and that it largely consists, perhaps, of the operations of spies and other military agents who inform us upon the military strength and tactical operations of the enemy and the disposition of his war agencies and establishments and their contemplated movements, and all that sort of thing. That is the usual popular notion of the military intelligence section.

To that extent it is quite correct, but I will ask you as thoughtful men to bear in mind what you heard repeated all through the period of the great World War as a new idea in modern thought about war and the tremendous forces which were liberated in war to the destruction of civilization, and that was this, that war no longer consists in the matching of mere armies on the field of combat, but war now means that whole nations, men, women, children, and all the potential resources at home go to war with one another. And all of these tremendous and incalculable agencies that are behind the battle lines and behind the military forces are involved in supporting their own individual army in the field. And back of all that, back of these mere physical agencies, is another factor to be reckoned upon, and which, while in some great measure growing out of them and their employment and their state of condition, is nevertheless in the end a determining factor of the conflict itself. That is the popular morale behind the armies themselves. What state of mind the public that is supporting an army may be in and what may be the means of turning,

disturbing, unsettling, or perhaps altogether changing the character of that public morale is a part of the study of the military intelligence bureau.

Wars are lost often because the people at home either do not support their army at the front or find themselves in a position where with the best intentions they can not do so.

Now, to ascertain whether the enemy's armies lack anything, to endeavor to discover how large their potential forces and agencies may be, what great reserves and resources may be behind those armies to keep them there, how long they are likely to last, what the temper of the people behind these forces may be, how long they may expect to hang on, what sacrifices they will make for the armies in the field, whether they are supporting them wholeheartedly or wearying of the conflict, whether the public heart, soul, and spirit are behind the military forces of the Government, whether they are prepared to go to any measure of sacrifice rather than see themselves conquered—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. May I proceed for five minutes more?

The CHAIRMAN. The gentleman from Vermont asks unanimous consent to proceed for five minutes. Is there objection?

Mr. BLANTON. The gentleman refused to give me two minutes, but I will be kinder to him than he was to me.

The CHAIRMAN. The Chair hears no objection.

Mr. GREENE of Vermont. If I had to take time from the gentleman, I would feel that I was not representing my own constituents.

Mr. BLANTON. It is by the gentleman's agreement that the gentleman gets time, because unanimous consent was asked, and that is the means by which the gentleman gets it.

Mr. GREENE of Vermont. Very well; I am simply following the rules of the House; no objection is made.

Mr. Chairman, I only want to say this about what is being done and what for years it is expected will be done by the peacetime operation of the military intelligence section of the United States Army. When combat is over, when this great critical employment of forces in the field is done and the nations undertake to restore themselves to something like normal—and that, of course, is the great problem before the world to-day, as it is with us—the purpose of keeping an Army at all is to be in some degree rationally and sensibly prepared for an always unexpected war. Nobody knows from what corner of the winds it may blow. Nobody knows where it may develop itself, and sometimes on what very trivial pretext. We know when we think back upon it now that the world, most comfortably and luxuriously at peace, found itself precipitated into a long-prophesied war that not one solitary one of the books and treaties and essays on the probabilities of war had predicted would arise as it did. It was a set of relatively inconsequential events in the Balkans that put the whole world at war. Nobody can tell where these things may come up nor upon what pretext.

Now, then, the military intelligence section employs itself daily in making a study of world conditions, nation by nation, watching, not through the surreptitious spy systems that are represented in books of fiction, not by peeping through keyholes or hiding under beds, but by making a proper scientific and well-founded study of all the resources that may be employed in war that any nation on the face of the earth likely to go to war has actually within its borders.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. GREENE of Vermont. I will be glad to do so.

Mr. MOORE of Virginia. I would like to ask my friend whether the work he is now describing is not actually done in a very substantial way, except in special places, by the War College here in Washington?

Mr. GREENE of Vermont. No; not entirely. The War College mainly undertakes to teach the expected leaders of troops the art of tactical operations in the field.

What we are looking for from the military intelligence bureau is the solution of questions of public policy that may be expected to eventuate from world or national conditions at any stated time. For instance, I will give an example which probably might illustrate as quickly as may be expected in a sketchy way here an experience in this line with a certain country in the late war that really had no direct relation to combat operations in the field.

We all remember that this Government found itself obliged to seize and intern the merchant ships of Holland, a neutral country, and that those ships were seized and interned around and about New York Harbor. Then the question came up of strained relations with Holland. She was a neutral power, contiguous to German territory, and long suspected of having a favoring influence toward German operations. And the ques-

tion came—mind you, not a question of mere combat, but of public policy—whether if we longer detained the Dutch ships and longer incensed and irritated the people of Holland by their retention, we might not by that very fact throw Holland into the arms of Germany, so that she would not longer be neutral, but would openly and publicly espouse the cause of Germany. That was a question most solemnly and seriously debated here in this country by those who were responsible for our policy in such affairs throughout that Great War.

The military intelligence division had been at work all through, carefully charting all the activities of Holland, as well as of the rest of the countries of the earth. It had studied the daily reports of the supplies, both of food, provisions, and munitions of war, that were known to be actively in circulation or potentially possible in those countries. It had studied the activities of the people themselves, their transportation facilities, the character and tone of their newspapers and public speeches, and their manifestations of a national psychology, day by day. They knew to a remarkable degree of accuracy what supplies Holland had and what she might expect to draw upon. They knew the sources from which she might expect to get any further supplies, or the possibilities of support she would have if she engaged in war. The innumerable statistics on matters of fact—social, economic, and military—were assembled each day and studied as carefully as the fever chart of a nurse in a hospital is studied. And when that report was ready, in the final conclusion our country had some opportunity to determine whether by the seizure or retention of those ships she would precipitate Holland into the arms of Germany or not. And she came to the conclusion that she would hold them, and she did. That is one of the illustrations of the work of the military intelligence section that was a very conspicuous success.

Mr. Sisson. Mr. Chairman, I rise in opposition to the amendment.

This service is one that will multiply ad infinitum. The Navy Department has maintained a bureau of intelligence. The State Department has in connection with its offices throughout the United States a news-gathering and information-gathering bureau. The War College, that we are maintaining at considerable expense, takes the statistics and the business reports of all the nations of the world, and is continuing its study of them. Now they are at work in the War College studying the condition of affairs in one of the European countries. And your committee in providing for the expenses of these military attachés, which expenses largely consist of traveling expenditures and subscriptions to various periodicals, received a report after we had reported the bill that there were certain places throughout the world where there were no quarters for said military attachés. Now, there grew up during the war—and I am not criticizing that—out of the unlimited funds which the Army had, a great organization of this character, perhaps necessary in time of war. But your committee does not feel justified in continuing it. This is, by the way, a new growth. We had no service like this before the war. Where is it going to end? How much money can you spend in ascertaining the statistics as to the number of hogs, and cattle, and men, and the number of arms, and the amount of munitions every nation may have?

Mr. HUDSPETH. How does this appropriation compare with the one in the preceding appropriation bills?

Mr. Sisson. In the preceding bills they were lump sums, and they were interchangeable. They were unlimited, and I do not know how much was spent.

Mr. HILL. In 1918 it amounted to \$193,137.43.

Mr. Sisson. That does not tell all the story, as a matter of fact, for, during the war and prior to that, nobody knows how much was expended. In other words, you can not take that appropriation as a criterion at all. I do not know but that having too many of these men brushing around in other nations and snooping into business affairs may not breed war. At any rate, if you gentlemen are serious in your protestations of economy, this is one place where you can economize, and where your committee has sought to help you do it. I do not see ghosts all the time, nor do I believe it necessary to multiply the number of ghost hunters you have throughout the world, because with the naval intelligence bureau that is being maintained, with the bureau of information in every one of the consulates, and the State Department getting continual information as to political conditions, as well as financial conditions, throughout the world, where is it going to end?

Now your committee thought that by providing enough money for the purpose of paying the expenses in those places where, under the State Department, they can not get quarters, that would be sufficient. The military intelligence bureau gets its quarters abroad from the State Department. This is largely

a contingent fund, because the salaries of the officers detailed to this service are paid out of the Army appropriation bill, so that I think this \$185,000, plus the other \$125,000 under pay of the Army and the \$15,000 for rent, is ample.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. ANTHONY. Mr. Chairman, this item shows how a comparatively insignificant amount in a former appropriation bill can grow into a really large sum of money. In the year 1916 we appropriated just \$11,000 for military intelligence. Now the department asks for \$400,000. The amendment of the gentleman from California would give them \$300,000. In the bill which failed of presidential approval this House placed its stamp of approval on about \$100,000 as being about the right amount for military intelligence.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. The gentleman says that in 1916 we appropriated \$16,000?

Mr. ANTHONY. No; \$11,000.

Mr. GREENE of Vermont. Well, we had just about \$11,000 worth of military intelligence. That is true, because if we had had more we would have been prepared for war.

Mr. ANTHONY. I do not agree with the gentleman as to that. There was no necessity for the expenditure of a single additional dollar at that time.

I want to call attention to the fact that now 48 officers are assigned to this bureau. There are about 145 clerks working on military intelligence, and, as the gentleman from Mississippi [Mr. Sisson] says, we are not only putting into this bill \$200,000, substantially, for this purpose, but under the item of pay for the Army we have already appropriated \$125,000 or \$150,000 more for the pay of officers engaged in that work.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. ROGERS. Does the gentleman recall what the corresponding amount in the naval bill is?

Mr. ANTHONY. I do not recall exactly, but I think it is safe to say that the Navy is spending from \$150,000 to \$200,000 for this purpose.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. PARKER of New Jersey. Was not the amount in the bill last year \$300,000?

Mr. ANTHONY. I believe that is correct. We agreed to \$175,000 in conference. That was satisfactory to both the House and Senate conferees. There is not the slightest necessity, in my opinion, for raising the amount at this time. They have need for an increase in the appropriation to cover rent of the offices of our military attachés stationed in foreign capitals, and we increased the amount \$15,000, from \$185,000 to \$200,000. We have permitted this item to grow from \$11,000 in 1916 to \$200,000 for 1922.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HUSTED. Does not the gentleman really think that the securing of adequate military intelligence is one of the very best safeguards of peace?

Mr. ANTHONY. I agree with the gentleman as to that, and I want to heartily commend the work that the military intelligence bureau is doing at the present time. They have an exceedingly able force of men at work collaborating information from all over the world there, under such fine men as Gen. Dennis E. Nolan and Col. Graham. But I believe that their present force can be cut down about 50 per cent and that they can still get the vital military information which they need with the money appropriated by this bill.

Mr. HUSTED. The gentleman commends the purpose, and the only question is whether the amount carried in the bill is sufficient to do the work properly, or whether the amount estimated by the War Department is sufficient.

Mr. ANTHONY. I may say to the gentleman that the amounts carried in this bill are not sufficient to carry on many of the activities of the War Department as they are carried on at present. Our purpose is to cut down those activities. We can not carry them on in time of peace in the same magnitude as during the war.

Mr. HUSTED. I agree with the gentleman as to that. But there is no activity that I have so much sympathy with as the



securing of military intelligence, because to be forewarned is to be forearmed.

Mr. ANTHONY. Yes. But if the gentleman had gone into the question as minutely as our committee has done he would have found that the military intelligence work of the Army was being duplicated in a measure not only by the Navy Department but by the State Department. They have their forces of officials gathering intelligence, both military and economic, all over the world, and here in this country the Department of Justice was spending a large amount of money carrying on almost identically the same work of gathering domestic intelligence that the Army bureau also attempts to do.

Mr. KAHN. That was during the war.

Mr. ANTHONY. And we found out that to-day the military intelligence bureau in the War Department proposes to detail under this appropriation military intelligence officers in every one of the eight or nine corps areas, in order to obtain intelligence regarding civil activities in this country which the Department of Justice is fully equipped to obtain. We are trying to cut out the surplusage and the duplication and at the same time in no wise cripple the good work that the military intelligence division is doing.

Mr. HILL. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last two words.

Mr. HILL. I do so for the purpose merely of asking a question. The only question here is the addition of \$100,000. Is it not true that the Secretary of War asked for \$300,000, having originally asked for \$398,000?

Mr. ANTHONY. I think the gentleman is correct.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. KAHN].

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. KAHN. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 25, yeas 62.

So the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. CRAWFORD].

Mr. LAYTON. What is the amendment, please?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (suggested by the Chair) there were—ayes 63, yeas 1.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Field Artillery schools: For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, or special services, including the services of one translator at the rate of \$150 per month; and for other necessary expenses of instruction, at the Field Artillery Schools at Fort Sill, Okla., Camp Knox, Ky., and Camp Bragg, N. C., \$35,000.

Mr. JOHNSON of South Dakota. Mr. Chairman, I see that the gentleman from Tennessee [Mr. GARRETT] is present. This afternoon he brought up the question of taking the troops from Coblenz, and as I understood his argument when he brought the question before the House for discussion, he seemed to believe that on the passage of the so-called Knox resolution, which is Senate joint resolution 16, the troops would automatically come out of Germany, that the President would be compelled to withdraw them. I want to call the attention of the gentleman to the phraseology of that resolution. If he will look at pages 7 and 8 of that resolution he will find one specific provision referring to Austria, which I now quote:

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of St. Germain or the treaty of Trianon, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same under the terms of the armistice signed November 3, 1918, or any extensions or modifications thereof, or otherwise, or which under the treaty of St. Germain or the treaty of Trianon have been stipulated for its benefits or for the benefit of its nationals with the same force and effect as if said treaty of St. Germain and the treaty of Trianon had been ratified by the United States of America, and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

The same provision referring to Germany is on page 5.

Mr. Chairman, a reading of that so-called Knox resolution will convince the gentleman of the futility of the argument he

presented to the House this morning, and should convince him that even upon the adoption of this resolution the United States will be in exactly the same position as that in which England and France find themselves after they have ratified the treaty and after they are at peace, when under the terms of the armistice they can still keep their troops on the Rhine.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Is the gentleman reading from the joint resolution that is now pending before the Senate?

Mr. JOHNSON of South Dakota. I was reading from the joint resolution that is now pending.

Mr. GARRETT of Tennessee. Does the gentleman think that we can declare a state of peace, wiping out everything, and then keep our troops in Germany?

Mr. JOHNSON of South Dakota. The Knox resolution simply retains the provision of the agreement made at the time of the armistice, and whatever we do, as long as we reserve those rights—

Mr. GARRETT of Tennessee. Oh, but when we make peace, the terms of the armistice are settled and gone.

Mr. JOHNSON of South Dakota. I can not agree with the gentleman at all, because you can make peace and in your declaration, to which Germany is not a party, still reserve anything you desire to reserve.

Mr. GARRETT of Tennessee. Would not Germany, however, be a party in order for it to be binding?

Mr. JOHNSON of South Dakota. Not necessarily. We are making our declaration. We are not trying to declare for Germany. Germany has never declared war against the United States, as I remember it.

Mr. GARRETT of Tennessee. No; nor did we declare war against Germany. We declared that Germany had made war against us.

Mr. JOHNSON of South Dakota. We declared that there was a state of war.

Mr. GARRETT of Tennessee. We declared that Germany had committed acts of war against us. That was the substance of the declaration of war. Now may I ask the gentleman a further question?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I do not know that the resolution from which the gentleman has quoted will be the particular resolution that will finally pass, but does the gentleman think that this Nation can in good faith declare a state of peace and not withdraw its troops from Germany?

Mr. JOHNSON of South Dakota. It certainly can, if it reserves in its declaration the right to keep the troops there.

Mr. GARRETT of Tennessee. Ah, but Germany will not be a party to this declaration.

Mr. JOHNSON of South Dakota. Certainly not.

Mr. GARRETT of Tennessee. Germany was a party to the armistice.

Mr. JOHNSON of South Dakota. Certainly; and we are leaving that provision intact.

Mr. GARRETT of Tennessee. Germany was a party to the treaty to which we have refused to agree. If we declare a state of peace, upon what possible theory can we be justified in keeping 20,000 American soldiers, or any number of American soldiers, in Germany? I do not know what the exact number is.

Mr. FISH. Will the gentleman yield for a question?

Mr. JOHNSON of South Dakota. I want to answer the question of the gentleman from Tennessee. I would say that we would have the same right to do that as we would in the League of Nations agreement in making reservations, and when we make them the matter is settled.

Mr. GARRETT of Tennessee. But we have not agreed to any treaty of peace. We are parties to the armistice. The moment we pass a resolution declaring peace it wipes out the armistice agreement. Of course, there is no treaty. I do not know what trade treaties it will revive; but surely the gentleman will not insist that we could properly keep our soldiers in Germany after the declaration of a state of peace?

Mr. JOHNSON of South Dakota. The gentleman may argue the proposition with great logic, but there is no way he can escape the words in the Knox resolution—

together with the right to enforce the same under the terms of the armistice signed November 3.

Those words are conclusive in the matter, no matter what the gentleman may say.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. FISH. Mr. Chairman, I ask that the time of the gentleman from South Dakota be extended three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FISH. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will yield to the gentleman from New York.

Mr. FISH. I would like to ask the gentleman from Tennessee a question, with the permission of the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. I yield.

Mr. FISH. I would like to ask the gentleman from Tennessee whether or not he disapproves of having our troops in Germany? I am a little bit at sea whether he favors their remaining there or bringing them home.

Mr. GARRETT of Tennessee. Does the gentleman from South Dakota yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. FISH. If it is an embarrassing question, let the gentleman say so.

Mr. GARRETT of Tennessee. It is not at all embarrassing. I do not believe that we should make peace except by treaty or convention. I do not believe that we should undertake to eat our cake and have it too. I do not believe that the troops should be withdrawn from Germany until we have made a contract with Germany which results in peace. It may be desirable to make a separate peace with Germany—I do not think so—but certainly I do not wish, for the honor of this Nation, for Congress to pass a resolution declaring peace and withdrawing the troops without any agreement whatever as to the result.

Mr. FISH. Does the gentleman think our troops are over there for the purpose of getting reparations? Does not the gentleman know that this country asks for no reparations, and got just what it asked for—nothing at all? Is the gentleman in favor of having our troops over there act as tax collectors or collectors of reparations?

Mr. GARRETT of Tennessee. I do know that this country asked for no reparations and got none. I also know that the Republicans in the Republican Senate refused to ratify the treaty by which they got none. What the Republicans propose to do I do not know.

Mr. FISH. And the people ratified their action by 7,000,000 votes. [Applause on the Republican side.]

Mr. GARRETT of Tennessee. Perhaps so. Does the gentleman from New York favor the withdrawal of troops immediately? If it is embarrassing, I will withdraw the question.

Mr. FISH. I favor it, and will favor it, in spite of the Knox resolution, not because of the Knox resolution.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. FESS. The gentleman from Tennessee seems to be disturbed by what he says will be an inconsistency in making peace and still maintaining troops in Germany. A treaty of peace has been agreed to between the Allies and Germany, and still the armies of the Allies are on the border. Is that any embarrassment to the gentleman? If we make peace with Germany either by resolution or otherwise, does that mean that we can not keep the army there to enforce it?

Mr. JOHNSON of South Dakota. I will say to the gentleman from Ohio that I think his point is well taken. As a matter of fact, the situation is this: We have imposed terms of peace on Germany just as Germany did on France in the Franco-Prussian War. Germany is not a contracting party to it; she is going to do what the Allies want her to. She has nothing to say about it. If we want to keep troops there and reserve the right to do it under the Knox resolution we will proceed to do it.

Mr. GARRETT of Tennessee. Mr. Chairman, I want recognition.

Mr. MONDELL rose.

Mr. GARRETT of Tennessee. Does the gentleman from Wyoming want recognition?

Mr. MONDELL. No; but I am reminded of the fact that we have been debating several hours on a matter that is not before the committee at all. It has occurred to me that we ought about this time to get back to the bill.

The CHAIRMAN. It is the right of any Member to stop it at any time.

Mr. MONDELL. I shall have to object if there is very much more discussion upon this matter.

Mr. FESS. The gentleman would not object to some one on this side who has taken no part in the discussion—

Mr. MONDELL. I understand that gentlemen on both sides have been participating in the discussion.

Mr. FESS. There are several on this side who would like to participate, but who have not.

Mr. GARRETT of Tennessee. The allied armies are in Germany or occupying the territory by reason of a treaty which they have signed. I say that in answer to the suggestion of the gentleman from Ohio. The allied armies—the armies of England and France—are occupying certain territory because of the treaty to which they are parties. Those nations with whom we became associated in the war have signed it. They are at peace by the terms of that treaty and their armies are entitled to be there for, as I remember, 15 years. If we declare a state of peace without a treaty or an agreement, how are we going to keep our armies there in any sort of good faith?

Mr. FESS. We will keep them there if it be necessary by virtue of the resolution by which we declare the state of peace.

Mr. GARRETT of Tennessee. Would not the keeping of soldiers there be an act of war itself?

Mr. FESS. Certainly not. It is in the resolution by which we propose to declare the state of peace.

Mr. GARRETT of Tennessee. Let me ask the gentleman from Ohio a question. He is a great international lawyer: What is accomplished by a declaration of peace except the withdrawal of troops?

Mr. FESS. We can immediately negotiate any sort of diplomatic, business, industrial, or otherwise relations that up to the present time can not be done because of the existence of technical war.

Mr. GARRETT of Tennessee. You can not do it now?

Mr. FESS. No.

Mr. GARRETT of Tennessee. Why?

Mr. FESS. Simply because there is a state of war technically existing, and a state of war is inconsistent with renewal of diplomatic relations. We remove that by this resolution.

Mr. GARRETT of Tennessee. Does the gentleman mean to say that while war exists technically we are not in a more advantageous position to negotiate a treaty of peace involving trade in everything than we are if we declare that the war is over and then withdraw?

Mr. FESS. We are not talking about withdrawing. That is a subject that is still retained in the resolution. The troops can remain there by force of the resolution which declares peace, until we are ready to withdraw.

Mr. GARRETT of Tennessee. I confess I can not follow the gentleman's logic as to why we would be in a better position after we have thrown up everything.

Mr. FESS. The gentleman does not hold that when anything is dictated by one Government to another with which it is at war the Government that does the dictating can not reserve the right to enforce the terms of the dictation?

Mr. GARRETT of Tennessee. Not unless that other Government is a party to the agreement.

Mr. FESS. The other Government is not necessarily a party to the agreement, since dictation is not the result of agreement, but it is on a par with the declaration of war, which recognized the existing condition of war.

Mr. GARRETT of Tennessee. Of course, it was not a party to the proposition that we make war.

Mr. FESS. Does the gentleman say that you can not end war except by treaty? More than half the wars in the known history of the world have been ended without treaties.

Mr. GARRETT of Tennessee. Yes; usually with disaster to one or the other party.

Mr. FESS. Not necessarily by destruction, but by action of the Government that so decreed it. The gentleman does not mean to advertise here that he thinks war can not be ended without a treaty? He is too familiar with history to make that statement.

Mr. GARRETT of Tennessee. You can end war by whipping the other fellow or by getting whipped.

Mr. FESS. You can end war also by a declaration of the power that declared war. The power that declared war can also repeal the declaration.

Mr. FAIRCHILD. And also by cessation of hostilities.

Mr. GARRETT of Tennessee. Surely; and so far as that is concerned they ended quite a while ago.

Mr. FESS. That is not the point in dispute. Of course, I understand you can end it by stopping it or by conquest, but that is not the point at issue raised by the gentleman from



Tennessee. More than half the wars between the nations of the world have been ended either by a declaration or cessation and not by a treaty.

Mr. GARRETT of Tennessee. I doubt the accuracy of the gentleman's history in that respect, but now will the gentleman answer me a question? I asked the gentleman from Illinois [Mr. MADDEN] and he said to ask the President, and I shall put in a resolution asking the President, but perhaps the gentleman can tell me. Upon the passage of a resolution declaring a state of peace to exist, is it the purpose of the administration to immediately withdraw the troops from Germany?

Mr. FESS. The gentleman from Ohio has no authority to speak for the administration, but the gentleman from Ohio can say that when a state of peace is declared, if the necessity ceases for keeping troops there they certainly will be withdrawn.

Mr. GARRETT of Tennessee. After a state of peace is declared what will be the necessity for keeping troops there?

Mr. FESS. In recognition of the force of the resolution. It is so written into the resolution.

Mr. GARRETT of Tennessee. Does the gentleman mean to say that the Nation is going to declare by resolution that we are at peace and then say to Germany "Now, by God, you have got to admit it"? [Laughter.]

Mr. FESS. The gentleman from Ohio says the power that declares the repeal of the declaration of war can condition that repeal upon the enforcement of its conditions.

We certainly are, if that is what the gentleman wants to know. [Laughter on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired. Without objection the pro forma amendment will be withdrawn. There was no objection.

The Clerk read as follows:

In all, Coast Artillery School, \$28,000.

Mr. BLANTON. Mr. Chairman, I move to strike out line 26.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Strike out line 26, page 7.

Mr. BLANTON. Mr. Chairman, the purpose of this Coast Artillery school is to help provide defense for our country. Defense for our country means not only defense against foreign enemies, but it means defense against domestic enemies as well. The path which we Members of Congress took is to defend this country against enemies, both foreign and domestic. I have no quarrel to pick with any man in our Government who has worn our uniform. I take my hat off to him, and I shall continue so to do as long as I live and he lives, because we can never repay the debt that we owe to the ex-service men; but I was amused a moment ago when the distinguished gentleman from Maryland [Mr. HILL], who has so lately become one of us, reiterated what I have heard him intimate several times on this floor to us older Members of the age of 46 or 48 or 50 or even 60 or 70, that we do not know anything about war, because we did not wear the uniform in the late controversy.

Mr. HILL. Will the gentleman yield for a question?

Mr. BLANTON. Just a moment, and then I will. I do not blame him for having that idea, because I know his experience as a soldier of this country must make him feel proud of his service. I am proud of the fact that he is proud of the fact that he wore the uniform of that flag and did it valiantly. I respect him for it, but he must not forget that others, too, may have served although we did not serve at the battle front. I am 48 years old, a man of family, and I was not needed at the front under provisions. I did not go to the front, as the gentleman did, yet I served here in this House and registered under the last draft. I do not minimize the splendid services my colleague [Mr. HILL] rendered, but he must not forget that some of us, too, rendered a service. While enemies domestic were seeking to hamper him and his colleagues on the battle front of France by preventing food, clothing, and munitions from being sent there, which they needed in defense of this country, while domestic enemies were seeking here to destroy munitions of war, while domestic enemies were seeking here to keep our soldiers from going as recruits for the army front of France, some of us here fought those domestic enemies the best we could. I know that we passed some laws here while the gentleman was in France that he does not like. I know that the people of the country changed their Constitution while the gentleman was in France.

I do not say that he does not have the right now to be heard on it. He has the right to change it back again if he can get enough votes to do it, but I want to say to my young friend who must have served so valiantly in France that he never can change the Constitution by passing a mere statutory repeal. He

can change it only by the provisions of the Constitution itself. If he wants to change the Constitution, which says that this Congress shall provide a Volstead law, which was passed because the Constitution required it, and we kept our oaths in passing that law—if he wants to change the Constitution, there is a proper way to do it. Bring in a resolution here, not a statutory bill, and let the Members of this House and Senate pass it by a two-thirds vote, and then submit the matter to the people and see whether the people will vote to repeal it. But they will not do it. And the gentleman's bill is futile. He has got the right to be heard. He was not here when we passed it, probably. I am not picking a quarrel with him because I like him. It was just such splendid young fellows as he is who saved that flag from defeat and brought home from France a world victory of which we are all proud. I shake him by the hand and I am glad to serve with him as a colleague, but he must remember that the most sacred thing in this Nation, the thing he fought to uphold in France, is the Constitution of the people. Congress can not change that Constitution by passing his proposed bill to repeal the Volstead law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask that the time be continued by unanimous consent for two minutes.

Mr. Chairman and gentlemen of the committee, as to what my colleague has just said, if you will turn to the CONGRESSIONAL RECORD to-morrow you will find I have not said anything about serving in France at any time when I have spoken on the floor of this House. I have been very careful not to do so. What I said was that if the gentleman who has just spoken had had any knowledge of real warfare, he would know that the intelligence division of the Army is the eyes and ears of the Army. What I also said was that if the gentleman who has just spoken had had real experience with warfare, he never would have voted to cut down the appropriation from \$300,000 to \$200,000.

In reference to the remarks of my brother on the Volstead Act, I shall ask leave at a future time to discuss that subject, which is so near to the hearts of the American people.

Mr. FISH. Will the gentleman yield for a brief statement?

Mr. HILL. I will.

Mr. FISH. I would like to add, in view of the remark of the gentleman from Texas [Mr. BLANTON], that no service man of the late war has discussed the Army appropriation bill in general debate, and I think only one has spoken so far on this bill.

Mr. ROGERS. Mr. Chairman, I move to strike out the last word.

During the discussion of the disarmament question yesterday a number of gentlemen in the course of the debate alluded to a resolution which I have had pending for the last two weeks, on the general subject of disarmament. One of the speakers—I have no doubt entirely inadvertently—purported to quote my resolution, but he quoted it quite inaccurately. The resolution is only about 25 lines long, as it appears in the bill text, and probably will not occupy more than 8 or 10 lines of the CONGRESSIONAL RECORD. Rather than to take the time of the House to read it, which I presume I have the right to do, I am going to ask unanimous consent that, for the correctness of the RECORD, the resolution be printed.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the resolution referred to:

House joint resolution (H. J. Res. 53) declaring the naval policy of the United States and authorizing the President to call an international conference on disarmament.

Resolved, etc., That until a program for the reduction of armaments is agreed to by the principal nations of the world, including the United States, it is hereby declared to be the policy of the Congress that the United States should have a Navy second to none.

SEC. 2. That with a view to securing such an international agreement for the reduction of armaments, both military and naval, the Congress of the United States expresses its earnest hope that the President will at the earliest practicable moment invite the Governments of Great Britain, France, Japan, and Italy, and of such other nations as he shall deem proper, to send delegates to an international conference on disarmament, to be held in the District of Columbia, and the President is hereby authorized to fix the number of delegates from each nation and, with the advice and consent of the Senate, to appoint the appropriate number of delegates to represent the United States at such conference.

SEC. 3. That the authority of Congress required by the act approved March 4, 1913 (37 Stat., p. 913), is hereby granted for the purpose aforesaid.

SEC. 4. That for the expenses preliminary to and in connection with the holding of said conference the sum of \$100,000, to be expended under the direction of the President, is hereby appropriated.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The gentleman has yielded the floor. The question is on agreeing to the amendment of the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. It was just a pro forma amendment, and I ask unanimous consent to withdraw it.

The CHAIRMAN. Without objection, it will be withdrawn. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF SIGNAL OFFICER.

SIGNAL SERVICE OF THE ARMY.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipments and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use in the office of the Chief Signal Officer and the Signal Corps School, Camp Alfred Vail, N. J.; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, but not including payment for individual telegraph messages transmitted over commercial lines; electrical installations and maintenance at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; tuition, laboratory fees, etc., for Signal Corps officers detailed to civilian technical schools for the purpose of pursuing technical courses of instruction along Signal Corps lines; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$2,835,000: *Provided*, That not to exceed \$600,000 from this appropriation may be expended for salaries and wages of civilian employees; not to exceed \$450,000 may be expended for commercial and existing Government-owned telephone and telegraph service; not to exceed \$1,000,000 may be expended for signal equipment for organizations; not to exceed \$7,500 may be expended for pigeon service; not to exceed \$100,000 may be expended for photographic and cinematographic service; and not to exceed \$100,000 may be expended for the operation and maintenance of Camp Alfred Vail.

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point that there is no quorum present.

Mr. ANTHONY. I would like to read a few more paragraphs if the gentleman will permit us. It is our intention to rise very shortly.

Mr. GARRETT of Tennessee. I will withdraw the point.

The Clerk read as follows:

WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM.

For defraying the cost of such extensions, betterments, operation, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year 1923, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, \$140,000.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5010, the Army appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted:

To Mr. JAMES of Virginia, for four days, on account of important business.

To Mr. STRONG of Pennsylvania, indefinitely, on account of the serious illness of his wife.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until Saturday, April 30, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

87. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, in the sum of \$375,517.94, required by the Navy Department for the navy yard at Norfolk, Va., fiscal year 1921 (H. Doc. No. 57); to the Committee on Appropriations and ordered to be printed.

88. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, in the sum of \$20,000, required by the Department of Agriculture for general expenses, States Relations Service, fiscal year 1922 (H. Doc. No. 58); to the Committee on Appropriations and ordered to be printed.

89. A letter from the Secretary of War, transmitting requested item of legislation in connection with a searchlight-mirror contract (H. Doc. No. 59); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. CHRISTOPHERSON, from the Committee on the Judiciary, to which was referred the bill (H. R. 2381) to amend sections 5549 and 5550 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 34), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUSTED: A bill (H. R. 5513) to create a national monetary commission; to the Committee on Banking and Currency.

By Mr. KAHN: A bill (H. R. 5514) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes; to the Committee on Military Affairs.

By Mr. SABATH: A bill (H. R. 5515) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. STEENERSON: A bill (H. R. 5516) to amend the act of Congress entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," approved June 5, 1920; to the Committee on the Post Office and Post Roads.

By Mr. DRANE: A bill (H. R. 5517) to provide for a site and public building at Clearwater, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5518) to provide for a site and public building at Fort Myers, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5519) to provide for a site and public building at Plant City, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. KITCHIN: A bill (H. R. 5520) increasing the limit of cost for a Federal building at Wilson, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. BRIGGS: A bill (H. R. 5521) to establish a marine fish-culture station in the State of Texas in the vicinity of Galveston; to the Committee on the Merchant Marine and Fisheries.

By Mr. MOORES of Indiana: A bill (H. R. 5522) for the incorporation of the Grand Army of the Republic; to the Committee on the District of Columbia.

By Mr. RHODES: A bill (H. R. 5523) to provide a tariff and to obtain revenue in connection with cobalt ore, cobalt oxide of, and cobalt products, and repealing existing laws in relation to the same; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota: A bill (H. R. 5524) authorizing all retired enlisted men who were on active-duty status during the period of the war with Germany and who did not serve as commissioned officers to be returned to the retired list and to receive the full pay and allowances of the grade they held during the war; to the Committee on Military Affairs.



By Mr. RAKER: A bill (H. R. 5525) relative to the naturalization and citizenship of married women; to the Committee on Immigration and Naturalization.

By Mr. GRAHAM of Illinois: A bill (H. R. 5526) to amend section 407 of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 5527) to authorize the compilation, printing, and sale of a Spanish-English and English-Spanish dictionary; to the Committee on the Library.

By Mr. TYSON: A bill (H. R. 5572) to extend and remodel the present post-office building at Montgomery, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HUSTED: Joint resolution (H. J. Res. 93) to provide for a commission to inquire into the condition of public education in the several States and to recommend such measures as it may deem advisable for the improvement of same; to the Committee on Education.

By Mr. A. P. NELSON: Joint resolution (H. J. Res. 94) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States; to the Committee on Banking and Currency.

By Mr. HUDDLESTON: Joint resolution (H. J. Res. 95) authorizing the Secretary of War to use surplus Army stores for the relief of destitution in the coal-mining regions of Alabama; to the Committee on Military Affairs.

By Mr. O'BRIEN: Joint resolution (H. J. Res. 96) protesting against violations of the laws of land warfare committed by the British forces against the Irish people in their struggle for independence; to the Committee on Foreign Affairs.

By Mr. PORTER (by request): Joint resolution (H. J. Res. 97) creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the Independence of the Republic of Peru; to the Committee on Foreign Affairs.

By Mr. GOOD: Resolution (H. Res. 74) for the immediate consideration of Senate bill 1084; to the Committee on Rules.

By Mr. MOORES of Indiana: Resolution (H. Res. 75) providing that there shall be paid out of the contingent fund of the House of Representatives until otherwise provided by law compensation at the rate of \$2,000 per annum for the services of one clerk for the Committee on Disposition of Useless Executive Papers; to the Committee on Accounts.

By Mr. GARRETT of Tennessee: Resolution (H. Res. 76) requesting the President to furnish the House of Representatives with certain information regarding United States troops in Germany after the passage of the proposed peace resolution; to the Committee on Foreign Affairs.

By Mr. NEWTON of Minnesota: Memorial of the Legislature of the State of Minnesota, urging protective tariff on wool, mutton, and lamb; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 5528) authorizing the Secretary of War to donate to the town of Highland Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5529) authorizing the Secretary of War to donate to the town of Belmar, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5530) authorizing the Secretary of War to donate to the town of Oakhurst, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5531) providing for a survey of West Creek, Ocean County, N. J.; to the Committee on Rivers and Harbors.

By Mr. BEGG: A bill (H. R. 5532) for the relief of the Snare & Triest Co.; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 5533) granting an increase of pension to Earl Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5534) granting a pension to Earl S. Reeves; to the Committee on Pensions.

By Mr. CLARKE of New York: A bill (H. R. 5535) granting a pension to James Gilroy; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 5536) for the relief of Carl G. Linstrom; to the Committee on Claims.

By Mr. DOWELL: A bill (H. R. 5537) granting higher duty pay in case of Samuel D. Nichols; to the Committee on War Claims.

By Mr. FISHER: A bill (H. R. 5538) conferring jurisdiction upon the Court of Claims to hear, examine, consider, determine, and adjudicate the claim of Marion B. Patterson; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 5539) granting an increase of pension to Lyman W. Russell; to the Committee on Invalid Pensions.

By Mr. FROTHINGHAM: A bill (H. R. 5540) granting an increase of pension to Mary E. Fogg; to the Committee on Invalid Pensions.

By Mr. HAMMER: A bill (H. R. 5541) authorizing the Secretary of War to donate to the town of Mocksville, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5542) authorizing the Secretary of War to donate to the town of Laurinburg, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5543) authorizing the Secretary of War to donate to the town of Raeford, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARDY of Texas: A bill (H. R. 5544) to reimburse H. A. Swink for loss of cattle sustained by him by the negligent dipping of cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

Also, a bill (H. R. 5545) to reimburse S. G. Ward for loss of cattle sustained by him by the negligent dipping of cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

Also, a bill (H. R. 5546) authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 5547) granting an increase of pension to Lizzie H. McDonald; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: A bill (H. R. 5548) for the relief of James E. Van Horne; to the Committee on Claims.

Also, a bill (H. R. 5549) for the relief of Henry Jones Ford; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky: A bill (H. R. 5550) granting a pension to Phoebe P. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5551) granting a pension to Gertie Hatcher; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 5552) granting a pension to Sarah A. Petty; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 5553) for the relief of Roland Zolesky; to the Committee on Claims.

Also, a bill (H. R. 5554) for the relief of Paul Wallerstein; to the Committee on Military Affairs.

By Mr. McPHERSON: A bill (H. R. 5555) granting a pension to Richard S. Wilks; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 5556) for the relief of Beatrice Newcombe; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 5557) for the relief of A. O. White; to the Committee on Claims.

Also, a bill (H. R. 5558) granting a pension to Bridget J. Snody; to the Committee on Pensions.

Also, a bill (H. R. 5559) granting a pension to Mary L. Rupert; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 5560) providing for the issuance to Herman L. Karpeles of a duplicate of an original medal of honor awarded to his father, Leopold Karpeles; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 5561) granting a pension to Adelia A. Devan; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 5562) granting an honorable discharge to James H. Davis; to the Committee on Military Affairs.

Also, a bill (H. R. 5563) granting a pension to Martha Hutton; to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 5564) for the relief of the Gadsden Contracting Co.; to the Committee on Claims.

By Mr. PATTERSON of New Jersey: A bill (H. R. 5565) for the relief of Frank W. Wiedenmann; to the Committee on Claims.

Also, a bill (H. R. 5566) authorizing the Secretary of War to donate to the city of Salem, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RIDDICK: A bill (H. R. 5567) for the relief of James Duffy; to the Committee on Military Affairs.

By Mr. SHELTON: A bill (H. R. 5568) authorizing the Secretary of War to donate to the town of St. James, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5569) authorizing the Secretary of War to donate to the town of Buffalo, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5570) authorizing the Secretary of War to donate to the town of Rolla, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWANK: A bill (H. R. 5571) for the relief of Charles Hatch, alias Charles H. Lord; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

386. By Mr. BURDICK: Petition in the case of east Galicia and northern Bukovina, as to their political status; to the Committee on Foreign Affairs.

387. By Mr. BURROUGHS: Resolution of Concord Lodge, No. 537, Brotherhood of Railway Trainmen, opposing the repeal of the excess-profits tax and the enactment of a sales or turnover tax; to the Committee on Ways and Means.

388. By Mr. CHALMERS: Petition of women of the diocese of Ohio, Toledo district, urging favorable action on House bill 13334, which aims to prohibit fishing for salmon in the Yukon River; to the Committee on the Merchant Marine and Fisheries.

389. Also, petition of the Buckeye Producing Co., Toledo, Ohio, to repeal the internal revenue tax now levied on cereal beverages; to the Committee on Ways and Means.

390. By Mr. CRAMTON: Resolution of Knights of Columbus Council, No. 744, Mount Clemens, Mich., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of disabled veterans; to the Committee on Interstate and Foreign Commerce.

391. By Mr. CRISP: Petition of citizens of Smithville, Fitzgerald, Montezuma, and Marshallville, in the State of Georgia, protesting against the excessive freight rates, etc.; to the Committee on Interstate and Foreign Commerce.

392. By Mr. DENISON: Petition of the Cairo Products Co., Cairo, Ill., protesting against the 15 per cent tax levied on cereal beverages; to the Committee on Ways and Means.

393. By Mr. GALLIVAN: Petitions of E. F. Kakas & Sons, N. E. Music Trade Association, and A. M. McPhail Piano Co., all of Boston, Mass., relative to taxation matters; also, petition of George Hoyt, of Dorchester, Mass., relative to tax on athletic and sporting goods; to the Committee on Ways and Means.

394. By Mr. KENNEDY: Memorial of Americans of Ukrainian ancestry residing in Woonsocket, R. I., urging recognition of east Galicia as an independent State, the west Ukrainian republic; to the Committee on Foreign Affairs.

395. By Mr. KISSEL: Petition of Kathleen Byrne, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

396. Also, petition of Liberty Textile Corporation, of New York, opposing the excess-profits tax and favoring the sales tax; to the Committee on Ways and Means.

397. Also, petition of Leroy T. Wells, of Wantagh, N. Y., favoring retirement for emergency officers of the Army, Navy, and Marine Corps the same as the regular officers of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

398. Also, petition of M. Crowe, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

399. By Mr. MEAD: Petition of Buffalo Chamber of Commerce, favoring tariff on wood products; to the Committee on Ways and Means.

400. Also, petition of Lackawanna Council, No. 2243, Knights of Columbus, Lackawanna, N. Y., favoring relief for disabled soldiers; to the Committee on Interstate and Foreign Commerce.

401. Also, petition of Buffalo Chamber of Commerce, favoring a duty on all lumber imported into the United States; to the Committee on Ways and Means.

402. By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, petitioning the United States Congress to take the necessary steps looking toward the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

403. By Mr. SNYDER: Petition of Oneida Brewing Co., of Utica, N. Y., favoring the repeal of the tax on cereal beverages; to the Committee on Ways and Means.

404. By Mr. YATES: Petition of Edison Electric Appliance Co. (Inc.), Chicago, Ill., by Thomas E. Noonan, protesting against sales tax; to the Committee on Ways and Means.

#### SENATE.

SATURDAY, April 30, 1921.

(Legislative day of Thursday, April 28, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. LODGE. Mr. President, I make the point of no quorum. The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	Lenroot	Sutherland
Broussard	Hale	Lodge	Trammell
Cameron	Harris	McKellar	Underwood
Capper	Harrison	McKinley	Wadsworth
Caraway	Johnson	McNary	Walsh, Mont.
Colt	Kellogg	New	Watson, Ga.
Curtis	Kendrick	Norris	Willis
Dial	Keyes	Robinson	
Fernald	King	Sheppard	
France	Ladd	Spencer	

Mr. KELLOGG. I desire to announce the absence of the Senator from New Jersey [Mr. FREELINGHUYSEN], the Senator from Michigan [Mr. TOWNSEND], the Senator from West Virginia [Mr. ELKINS], and the Senator from Ohio [Mr. POMERENE], who are engaged on a hearing before a subcommittee.

Mr. CURTIS. I wish to announce that the Senator from Washington [Mr. POINDEXTER], the Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. SHORTRIDGE], the Senator from Colorado [Mr. NICHOLSON], and the Senator from Nevada [Mr. ODDIE] are detained at a committee meeting.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] to-day.

The VICE PRESIDENT. Thirty-seven Senators having answered to their names, a quorum is not present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. HARRELD, Mr. OVERMAN, and Mr. SIMMONS answered to their names when called.

The VICE PRESIDENT. Forty Senators having answered to their names, a quorum is not present.

Mr. LODGE. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. SMOOT, Mr. WATSON of Indiana, Mr. DILLINGHAM, Mr. CUMMINS, Mr. HEFLIN, Mr. SHORTRIDGE, Mr. McCUMBER, Mr. NELSON, Mr. SWANSON, Mr. HITCHCOCK, Mr. POINDEXTER, Mr. ASHURST, Mr. ODDIE, Mr. NORBECK, Mr. NICHOLSON, Mr. WOLCOTT, Mr. WARREN, Mr. STERLING, Mr. ELKINS, Mr. SHIELDS, Mr. BURSUM, and Mr. CULBERSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-two Senators having answered to their names, a quorum is present.

Mr. LODGE. A quorum having appeared, I move that the order to the Sergeant at Arms be rescinded.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the bill (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

#### PETITIONS AND MEMORIALS.

Mr. WARREN presented a petition of the Sweetwater Beverage Co., of Green River, Wyo., praying for the repeal of tax now levied upon cereal beverages, which was referred to the Committee on Finance.

Mr. ASHURST presented a memorial signed by W. S. Crowe and 102 other citizens of Globe, Ariz., remonstrating against any further suspension of the laws requiring annual labor or assessment work on unpatented mining claims, which was referred to the Committee on Mines and Mining.

Mr. HARRIS presented a telegram of Aaron Holt Post, Veterans of Foreign Wars, and Ware County Post, No. 10, American Legion, both of Waycross, Ga., protesting against the conclusion of any peace treaty with Germany until the return of Grover Cleveland Bergdoll, which was ordered to lie on the table.

He also presented a telegram in the nature of a petition from Mrs. Alonzo Richardson, chairman, and Mrs. Irving Thomas, president, representing 1,200 women of the Atlanta Woman's Club, of Atlanta, Ga., praying for the enactment of legislation providing adequate relief for wounded ex-service men, which was referred to the Committee on Finance.